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BEQUEATHED

TO THE

UNIVERSITY OF MICHIGAN,

BY

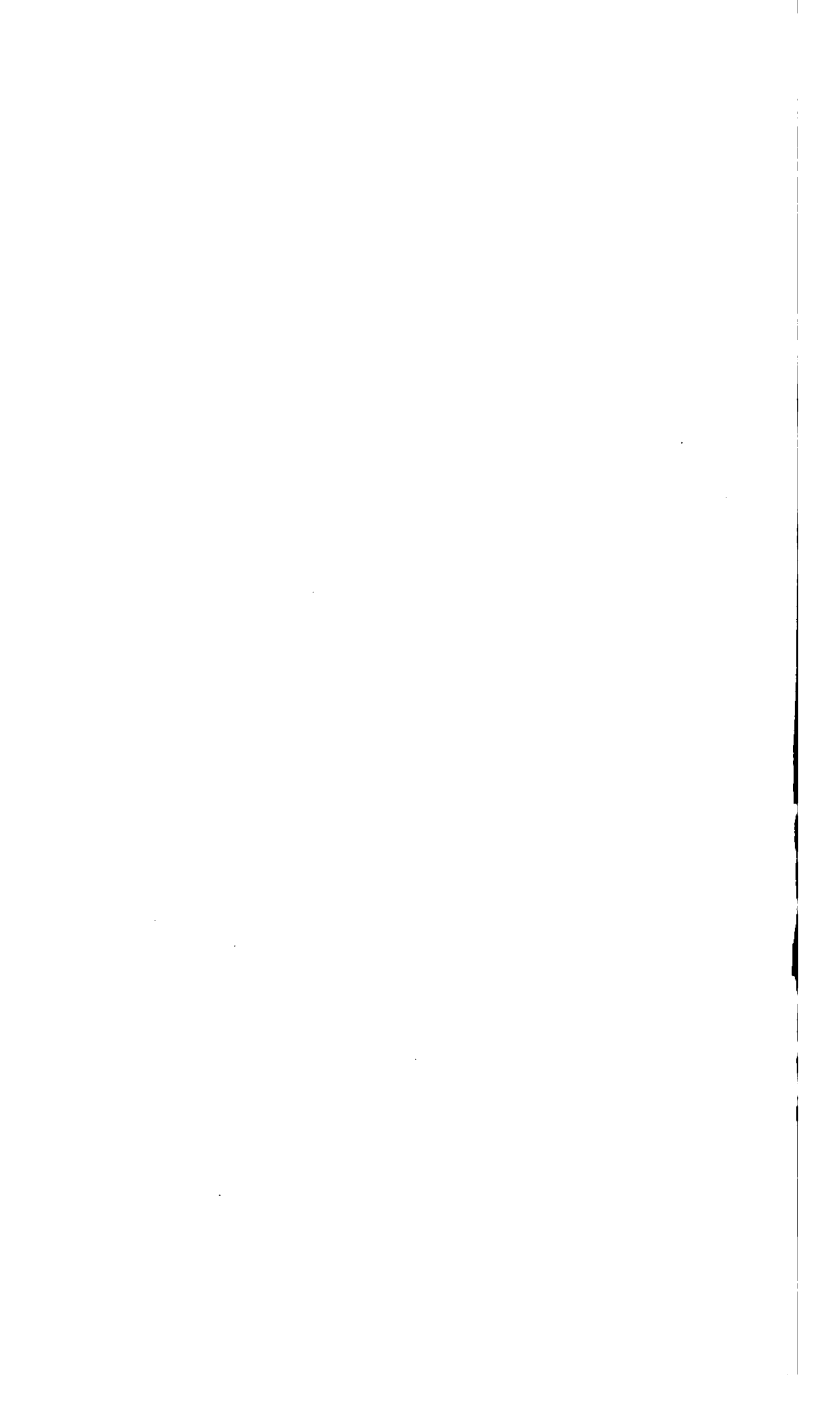
W. W. MURPHY,

U. S. CONSUL GENERAL, FRANKFORT A. M.

F
97
.HGG









CHARLES II.

From the Charter of Connecticut, 1662.

Lith. of D. W. Kellogg & Co. Hartford, Ct.

cf.

GOVERNORS.

Jo: Haymrs:
Edwa: Hopkins
Geo: Wyllys
John Webster
Joer Winterop
Withm Leete Robert Swat

ANDROS

J. S. Winterop.
G. Saltonstall.
John Talcott

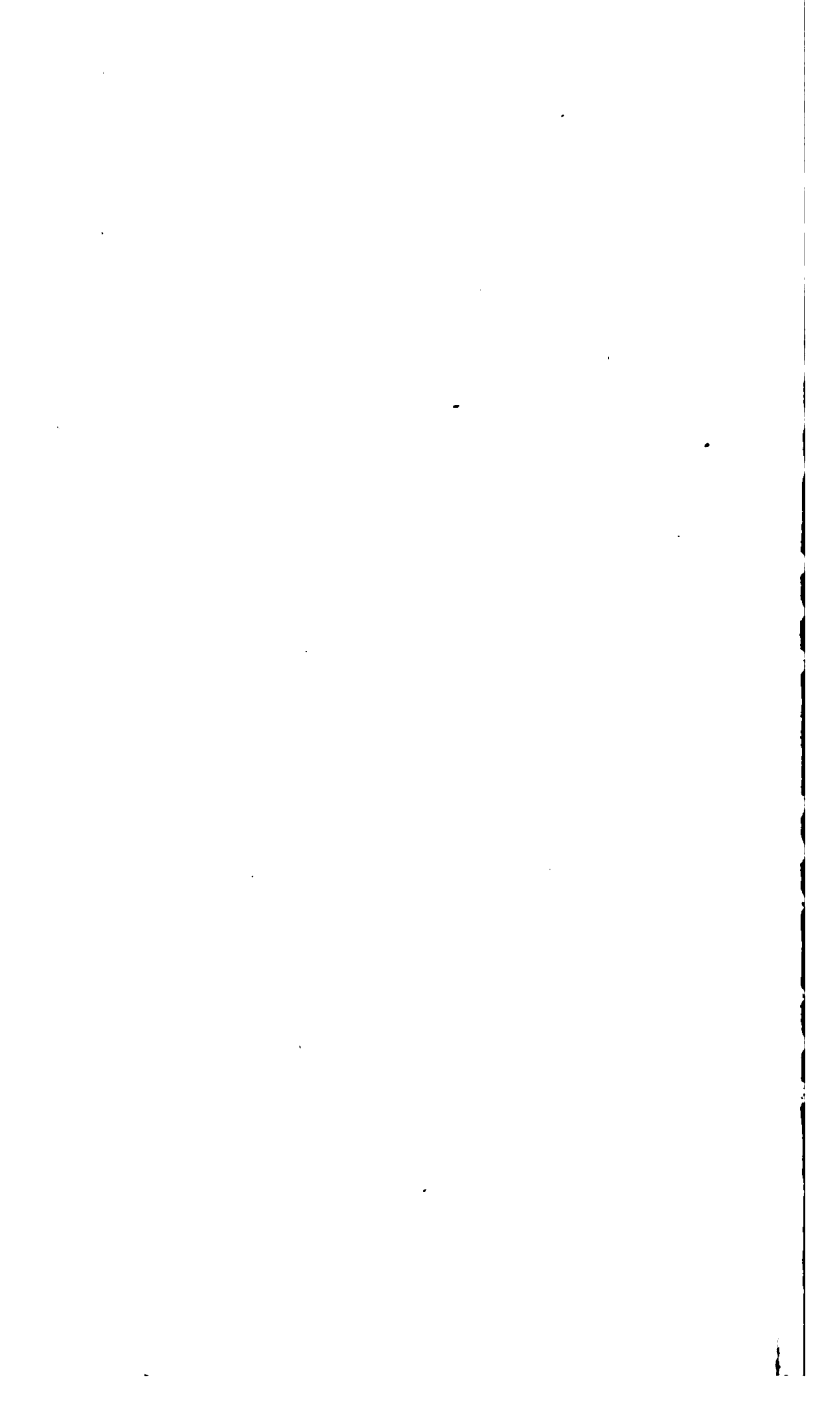
KINGS & QUEENS.

Charles R
James R

William R.

MARK. MARK.

George R.



LETTERS

FROM THE ENGLISH KINGS AND QUEENS

CHARLES II, JAMES II, WILLIAM AND MARY,
ANNE, GEORGE II, &C.

TO THE

GOVERNORS OF THE COLONY OF CONNECTI-
CUT, TOGETHER WITH THE ANSWERS
THERETO, FROM 1635 TO 1749;

AND OTHER ORIGINAL, ANCIENT, LITERARY AND CURIOUS DOCU-
MENTS, COMPILED FROM FILES AND RECORDS IN THE
OFFICE OF THE SECRETARY OF THE STATE
OF CONNECTICUT.

reval. ph
BY R. R. HINMAN, A. M.
Secretary of the State of Connecticut.

HARTFORD :

JOHN B. ELDREDGE, PRINTER.

.....
1836.

COPY RIGHT SECURED.

W. W. Murphy.
Request

To the American Antiquarian Society at Worcester, Mass.

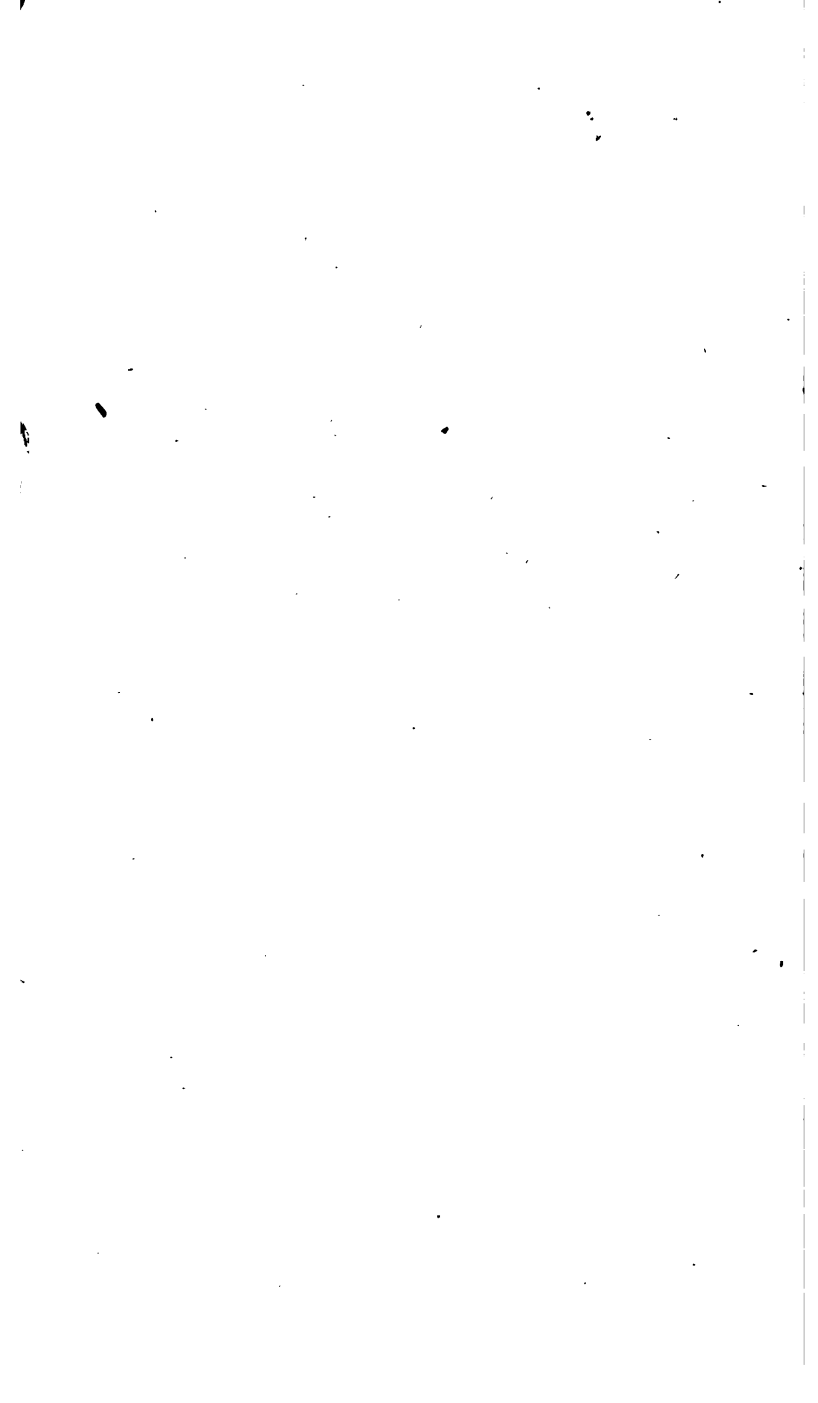
GENTLEMEN—Fully believing in the utility of giving to the public the historical facts embraced in this work, they being founded upon such evidence, as prove their authenticity, I beg leave to dedicate to the American Antiquarian Society the following sheets. It is intended as a text book of the early history of the Colony.

In affixing the name of your society to this publication, and depositing a volume in your Library, I may be enabled to preserve entire, its title page and one volume of the work, long after the book itself shall be forgotten by the present generation.

I have the satisfaction, of subscribing myself a devoted friend to your institution.

Respectfully Yours,
R. R. HINMAN.

Hartford, September 15th, 1836.



PREFACE.

THE Author, or rather Compiler of the following work, publishes it as an act due the State, for the purpose of transmitting to posterity, a correct history of facts and events, which transpired in the early settlement of Connecticut—commencing, even before the falling of the first tree in the forest, by any white man in the Colony.

It is a compilation of a correspondence of the Kings and Queens of England, with the different Governors of the Colony—from the first settlement in Windsor, Hartford and Wethersfield, in 1635, for the term of more than one hundred years—embracing letters from the Lords of the Council of trade and foreign plantations; a correct copy of the old patent of Connecticut; letters from the Hon. the Commissioners of his Majesties customs in England; and answers by the Governors, &c. Also letters to apprehend Capt. Kidd, as a pirate, and many other interesting, curious literary communications—among which are twenty-seven questions sent to this Colony by the Lords of the Council of trade in 1679, with the answers of Gov. Leet—which answers are probably as correct early history of this Colony as is extant, and will be highly interesting to all readers. Indeed they are a succinct history of the Colony at that period, as to its navigation, productions, shipping, population, state of society, Indian wars, religion, title of lands, trade and manufactures, &c. And when we contemplate that these answers were written by a Governor of this State, when a Colony, nearly two hundred years since, upon this ground, then occupied by the sturdy trees of the forest, but now covered with stores, banks, public buildings and the splendid private dwellings of the refined population of the City of Hartford—and this, the first publication of most of them,

they cannot fail to be interesting to the most inattentive observer of past events.

The orthography of the original letters and documents is strictly and carefully preserved.

The signatures of the Kings and Queens are uniformly placed at the commencement of the communications, and not at the close as is usual for other persons; the large, elegant and expensive seals attached to each letter, are yet in a perfect state of preservation. The idea that the delicate hands of Queen Mary and Anne of England have been upon the same sheets, which I have copied for this book, and nearly two centuries since, satisfies the mind that these events are indeed ancient, and appears rather as a dream, than a reality. The reader will occasionally observe, that answers to letters from England, are some few of them missing, not having been preserved by the writers as they should have been, not only for the benefit of the Colony at the time, but also for the advantage of future historians and the honor of the country.

This work is not published by the compiler expecting even a compensation for his labor, but solely to transmit to posterity, the important historical events which it contains, emanating from the pens of the Kings and Queens of England, and the Governors of this Colony, verified by their own signatures and Seals, the last of whom have been gathered to their fathers nearly a century.

In the year 1730 a letter was sent to this Colony by the Commissioners for trade and plantations, embracing 19 questions, relating to Connecticut, which were answered by Joseph Talcott, then Governor of the Colony, under the inspection of his Council or assistants, giving an account of the rivers and land adjoining—the sound, the soil, the climate, the degrees of latitude and longitude of the Colony, the boundaries, the Constitution and Government, the Courts, trade, the shipping, names of each vessel and Captain, and their tonnage and place where owned; property received in barter, method used to prevent illegal trade, harbours on the sound, produce of the Colony, copper and other ore mines, the population and increase and reasons for it, the number of militia, forts and arms, the number of Indians of all ages and sexes, the five nations of Indians, the French and Western Indians, the Spaniards and their strength, the annual revenues from rates and duties, the expenditures in free schools, constituting the different Courts and their jurisdiction, and the organization and division of the militia; which answers compared with those of 1679 shows the improve-

ment of the Colony and country for the fifty-one years previous. In 1748 the Board of trade forwarded to the Governor of this Colony twenty questions, similar to those before mentioned, which were answered by the Governor in the same manner; which answers compared with those of 1679, and 1730 give to the reader a more perfect history of the Colony from 1635 to 1748, (as to such facts as it contains) than can be found in any other work, because each fact can be relied upon as authentic, having been written at the time, by men of the highest standing and reputation, not only in England, but also in this Colony. Also is found upon the first page of the work a perfect likeness of Charles II, taken by the Messrs. Kellogg, Lithographers of this City, from the Charter of Charles II in this office. Upon the opposite page are found fac-similes of the hand writing of the Kings and Queens, also some of the Gov'rs. of the Colony, whose names are attached to their letters in this book. Also a full list is compiled from the Records of State, of all the Colony and State Officers who have been elected by the people of the Colony and State of Connecticut, from the first settlement in 1635, until 1836 inclusive, with the time of holding their several offices. The immense quantity of interesting matter, that has been lying for ages upon the shelves of this office, and annually accumulating, would, if the most interesting parts should be selected and published, compose a Library that would do honor to the State, and place so valuable public documents beyond the reach of fire and accident, while the present and future generations would become familiar with the early history of their Ancestors, and the Puritan Fathers. Indeed a history of the Revolutionary war, might be gathered from the files and records of this Office, so far as Connecticut was engaged in that bloody struggle for liberty: with which too few of the present age are familiar, evidenced upon facts from the records of the State, which would carry verity upon its face on every page. Several Acts and Resolutions of the Legislature of the Colony, with notes by the compiler will be found in this work, to show the object of the letters to which they related, to be the better understood by the reader.

The labor of collecting the materials and compilation of this work, and copying the numerous documents it contains, has taken much time, and the expense has been considerable. But should it meet a favorable reception and afford instruction to the reader, or amuse him in his leisure hours, it will be an ample compensatian to the compiler.

Hartford, September 15th, 1836.

Explanation of Abbreviated Words.

Ye. The.
Yt. That.
Wt. What.
Matie. Majesty.
Acor. According.
Wth. With.
Wch. Which.
Yn. Than.
Or. Our.
Yr. or yor. Your.
Vs. Us.

GOVERNORS of the Colony and State of Connecticut from the first Organization of the Government of the Colony in 1639, to 1836, inclusive.

John Haynes 1639, 1641, 3, 5, 7,* 9, 1651, & 3.

Edward Hopkins 1640, 4, 6, 8, 1650, 2, 4.

George Wyllys 1642.

Thomas Welles 1655, 8.

John Webster 1656.

John Winthrop 1657, 9, and 1660, to 1675, inclusive.

William Leet 1676, to 1682, do.

Robert Treat 1683, to 1687, do.

On the 31st day of Oct. 1687, Sir Edmund Andross assumed the Government, and retained it till the 9th day of May 1689, when Gov. Treat

* Previous to this time, (1647,) the Governors had no salary by law allowed them, but served the people for the public good. But at this time, the General Court taking the affair into consideration, granted the Governour 30 pounds annually. A like grant was also made to the Deputy Governour for his services the preceding year. These were the first salaries granted to any Civil Officers in the service of the Colony.

The following is a copy of the Act—

March 9th, 1647.

“Whereas by reason of many waighty occations, expences and chardges, are yearly expended by the Governour, it is therefore ordered, that there shall be yearly allowed to that place, £30, and £30, to the Deputy Governour for the year past.”

with the former officers, at the urgent request of the *people* resumed the Government of the Colony.

Robert Treat 1689 to 1697, inclusive.

Fitz John Winthrop 1698 to 1707, do.

Gurdon Saltonstall 1708 to 1724, do.

Joseph Talcott 1725 to 1741, do.

Jonathan Law 1742 to 1750, do.

Roger Wolcott 1751 to 1753, do.

Thomas Fitch 1754 to 1765, do.

William Pitkin 1766 to 1769, do.

Jonathan Trumbull 1770 to 1783, do.

Matthew Griswold 1784 and 5.

Samuel Huntington 1786 to 1795, do.

Oliver Wolcott 1796 and 7.

Jonathan Trumbull 1798 to 1809, do.

John Treadwell 1810.

Roger Griswold 1811 and 12.*

John Cotton Smith 1813 to 1816, do.

Oliver Wolcott 1817 to 1826, do.

Gideon Tomlinson 1827 to 1830, do.

John S. Peters 1831 and 2.

Henry W. Edwards 1833.

Samuel A. Foot 1834.

Henry W. Edwards 1835 and 6.

*Lieutenant Governors of the Colony and State of
Connecticut from 1639, to 1836 inclusive.*

Roger Ludlow 1639, 1642, 1648.

John Haynes 1640, 4, 6, 1650, 2.

George Wyllys 1641.

* Died October 25, 1812.

Edward Hopkins 1643, 5, 7, 9, 1651, 3.
Thomas Welles 1654, 6, 7, 9.
John Webster 1655.
John Winthrop 1658.
John Mason 1660 to 1668, inclusive.
William Leet 1669 to 1675, do.
Robert Treat 1676 to 1682, do.
James Bishop 1683 to 1687,* and from 1689 to
1691, inclusive.
William Jones 1692 to 1697, do.
Robert Treat 1698 to 1707, do.
Nathan Gold 1708 to 1723, do.
Joseph Talcott 1724.
Jonathan Law 1725 to 1741, do.
Roger Wolcott 1742 to 1750, do.
Thomas Fitch 1751 to 1753, do.
William Pitkin 1754 to 1765, do.
Jonathan Trumbull 1766 to 1769, do.
Matthew Griswold 1770 to 1783, do.
Samuel Huntington 1784 and 5.
Oliver Wolcott 1786 to 1795, do.
Jonathan Trumbull 1796 and 7.
John Treadwell 1798 to 1809, do.
Roger Griswold 1810.
John C. Smith 1811 and 12.
Chauncey Goodrich 1813 to 1815, do.
Jonathan Ingersoll 1816 to 1822, do.
David Plant 1823 to 1826, do.
John S. Peters 1827 to 1830, do.
1831 no choice.
Thaddeus Betts 1832.
Ebenezer Stoddard 1833.
Thaddeus Betts 1834.
Ebenezer Stoddard 1835 and 6.

* The interruption in the Government in 1687, 8 and 9, through the interference of Sir Edmund Andross is mentioned in the list of Governors.

Secretaries of State of the Colony and State of Connecticut, from 1639 to 1836 inclusive.

Edward Hopkins 1639.
Thomas Wells 1640 to 1647, inclusive.
John Cullick 1648 to 1657, do.
Daniel Clark 1658 to 1663, do.
John Allyn 1664.
Daniel Clark 1665 and 6.
John Allyn 1667 to 1695, do.
Eleazer Kimberly 1696 to 1708, do.
Caleb Stanly 1709 to 1711, do.
Hezekiah Wyllys 1712 to 1734,* do.
George Wyllys 1735 to 1795, do.
Samuel Wyllys 1796 to 1809,†
Thomas Day 1810 to 1834, do.
Royal R. Hinman 1835 and 6.

Treasurers of the Colony and State of Connecticut, from 1637 to 1836 inclusive.

Clement Chaplin, Thomas Welles, Joseph Whiting, John Talcott, William Pitkin, John Whiting, Nathaniel Stanly, Joseph Talcott, John Lawrence, Jedediah Huntington, Peter Colt, Andrew Kingsbury, Isaac Spencer, Jeremiah Brown.

* In consequence of the advanced age and indisposition of Hezekiah Wyllys, George Wyllys officiated and signed his official acts as Secretary during the Sessions of the Legislature, in October 1730, Oct. 1732, Oct. 1733, and May and Oct. 1734.

† The office of Secretary remained in the Wyllys family 96 years.

THE PATENT OF CONNECTICUT,

FROM ROBERT, EARL OF WARWICK.

To all people unto whom this present writing shall come, Robert, Earl of Warwick, sendeth Greeting in our Lord God everlasting—Know yee, that the said Robert, Earl of Warwick, for divers good causes and considerations, him thereunto moving, hath given, granted, bargained, sold, Enfeoffed, aliened and confirmed, and by these presents doth give, grant, bargain, sell, Enfeoff, alien and confirm unto the Right Honourable Robert Lord Brooke, the Right Honourable Lord Rich, and the Honourable Charles Fines Esqr., Sir Nathaniel Rich Knight, Sir Richard Salstonstall Knight, Richard Knightly Esqr., John Pym Esqr., John Hamden Esqr., John Humphry Esqr., and Herbert Pellam Esqr., their Heirs and assignes and their associates forever: all that part of New England in America, which lyes and extends itself, from a River there called Narragansett River, the space of Forty Leagues upon a streight line, near the sea shore, towards the southwest, west and by south, or west, as the coast lyeth towards Virginia, accounting three English miles to the League, and also all and singular the lands, hereditaments whatsoever, lying and being within the lands aforesaid, north and south in Lattitude and breadth, and in length and Longitude of, and within all the breadth aforesaid, throughout the main lands there, from the western ocean to the south sea, and all lands and grounds, place and places, soyle, wood and woods, grounds, havens, ports, creeks, and rivers,

waters, fishings and hereditaments whatsoever, lying within the said space, and every part and parcell thereof, and also all islands lying in America aforesaid, in the said seas or either of them, on the western or eastern coasts or parts of the said tracts of land by these presents mentioned, to be given, granted, bargained, sold, Enfeoffed, aliened and confirmed, and also all mines, mineralls, as well royall mines of gold and silver, as other mines and mineralls whatsoever, in the said lands and premises, or any part thereof; and also the severall rivers within the said limits, by what name or names soever called or known, and all jurisdictions rights and royalties, liberties, freedoms, immunities, powers, privileges, franchises, preheminences, and comodities whatsoever, which the said Robert, Earle of Warwick now hath or had, or might use, exercise or enjoy in, or within any part or parcell thereof, excepting and reserving to his Majestie, his heirs and successors the fift part of all gold and silver oare, that shall be found within the said premises, or any part or parcell thereof, to have and to hold, the said part of New England in America, which lyes and extends and is abutted as aforesaid; and the said severall rivers and every part and parcell thereof, and all the said islands, rivers, ports, havens, waters, fishings, mines, mineralls, jurisdictions, powers, franchises, royalties, liberties, privileges, comodities, hereditaments and promises whatsoever, with the appurtenances, unto the said William Viscount Say and Seal, Robert Lord Brooke, Robert Lord Rich, Charles Fines, Sir Nathaniel Rich, Sir Richard Saltonstall, Richard Knightly, John Pym, John Hamden, John Humphry and Herbert Pellam, their heirs and assigns, and their associates forevermore. In witness whereof the said Robert,

Earle of Warwick, hath hereunto sett his hand and seal, the nineteenth day of March, in the seventh year of the Reigne of our Sovreigne Lord, Charles by the grace of God, King of England, Scotland, France and Ireland, defender of the faith &c. Anno. Dom. 1631.

ROBERT WARWICK,

{ SEAL. }

Signed, sealed and delivered in the presence of
WALTER WILLIAMS, THOMAS HOWSON.

Note.—President Clap describes the extent of the tract conveyed by the above Patent, in the words following: All that part of New England which lies west of Narragansett River, one hundred and twenty miles on the sea coast; and from thence, in the Latitude and breadth aforesaid to the south sea. This grant extends from Point Judith to New York; and from thence in a west line to the south sea: and if we include Narragansett River in its whole length, this tract will extend as far north as Worcester, in Massachusetts.

A Copy of the Indenture or Deed from the Council of Plymouth, to James, Marquis of Hamilton, for sixty miles square in New England.

This Indenture, made the two and twentieth day of April, in the eleventh year of the Reigne of our Sovreigne Lord Charles by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c., between the Council established at Plymouth, in the County of Devon, for the planting, ordering, ruleing and governing of New England in America, of the one

part, and the Right Houn'oble James, Marquess Hamilton of the other part witnesseth, that whereas our late Sovreigne Lord King James of blessed memory, by his Highness Letters Pattents, under the great seal of England, bearing date at Westminster the third day of November, in the eighteenth year of His Highness Reigne over the Realm of England, for the considerations in the same Letters Pattents expressed, hath absolutely given, graunted and confirmed, unto the said Councill and their successors forever, all the lands of New England in America, lying and being in breadth from forty degrees of northern Lattitude from the Equinoctial Line, to forty-eight degrees of the said northerly Lattitude, inclusively, and in length of and within all the breadth aforesaid throughout the main land from sea to sea, together also with all the firm lands, soyles, grounds, havens, ports, rivers, waters, fishings, mines and mineralls, as well royall mines of gold and silver, as other mines and mineralls, precious stones, quarries and all and singular other comodoties, jurisdictions, royalties, priviledges, franchises and preheminenes, both within the said tract of land upon the main, and also upon the islands and seas adjoyning, as by the said Letters Pattents amongst divers other things therein contained, more at large it doth and may appear. Now this Indenture further witnesseth, that the said Councill in performance of an agreement made by and between themselves, and enacted the third day of February last before the date of this present, for a competent sum of money, and also for other good causes and considerations them the said Councill hereunto especially moveing, have given, graunted, bargained, sold, Enfeofed and confirmed; and by these presents do give, graunt, bar-

gaine, sell, Enfeof and confirme unto the said James, Marquess Hamilton, his heirs and assigns, all that part, purparte and portion of main lands of New England aforesaid, scituate, lying and beginning at the middle part of the mouthe or entrance of the River of Connecticutt in New England, and from thence to proceed along the sea coast, to the Narohigansets River or harbour, there to be accounted about sixty miles, and so up the westernne arme of that river to the head thereof, and into the land northwestward till sixty miles be finished, and so to cross over land southwards to meet with the end of sixty miles to be accounted from the mouthe of Connecticutt up northwest, and also all islands and isletts as well employed as within five leagues distance from the premises, and abutting upon the same or any part or parcell thereof, not otherwise granted to any by speciall name, all which part and portion of lands and premises shal from henceforth be called by the name of the county of New Cambridge, and also the said Councill for the consideration afores'd, have given, granted, bargained, sold, Enfeoffed and confirmed, and by these presents doe give, grant, bargain, sell, Enfeoff and confirm unto the said James, Marquess Hamilton, his heirs and assigns, all that other parcell or portion of lands, woods and wood grounds lying on the east side of the River of Sagadahock in the easterly part of New England aforesaid, containing and to contain there ten thousand acres, and to be hadd and taken together as conveniently as the same may be towards the head of the s'd river, and next unto the land of Edward Lord Georges there, which from henceforth is to be called by the name of _____ and moreover the said Councill for the consideration aforesaid, have given, grant-

ed, bargained, sold, Enfeoffed and confirmed, and by these presents do give, grant, bargain, sell, Enfeoff and confirm unto the said James, Marquess Hamilton, his heirs and assignes, together with the said bargained premises, all the firm lands, soyles, grounds, havens, ports, rivers, waters, fishings, mines and mineralls, as well royall mines of gold and silver as other mines and mineralls, precious stones, quarries, and all and singular other commodities, jurisdictions, royalties, priviledges, franchises and preheminencies, both within the said tracts of lands upon the main, and also within the islands and seas adjoining, saveing, excepting and reserving out of this present graunt, only the fifth part of the oare of gold and silver due to His Majestie, his heirs and successors, and in and by the said Letters Pattents reserved—to have and to hold all those the said severall parcells of land, and all other the said bargained premises, with their and every of their appurtenances (except before excepted,) unto the said James, Marquess Hamilton, his heirs and assignes, to the only proper use and behoofe of him the said James, Marquess Hamilton, his heirs and assignes forever; and to be enjoyed as fully, freely and in as large, ample and beneficiall manner and forme, to all intents and purposes whatsoever, as they the said Councill and their successors by vertue of the said recited Letters Pattents may, might or ought to have, hold and enjoy the same, or any part or parcell thereof. In witness whereof to the one part of this present indenture, remaining in the hands of the said James, Marquess Hamilton, they the said Councill have fixed their common seal, and to the other part of this present indenture, remaining in the hands of the said Councill, the said Marquess hath sett his hand and seale. Dated

the day and year first above written, Annoque Domini 1635.

This is a true and authentick copee of the principall indenture above written, under the seal above specified, duely compared and collationed by uss Notaries Publick underscribing, in the presence of the witnesses afternamed, as doth witness our signe and subscription mannal at Hamilton, the 12th May, 1664.

R. HAMILTON, Notarius Publicus,

JA. CARNES, Notarius Publicus.

J. HAMILTON, Witness,

Jo. CARBARUS, Witness,

WILL HAMILTON, Witness,

J. MOTHERSPOON, Witness.

Note.—From the first settlement of Connecticut by the English in 1635, it does not appear from the records and files in the Secretary's office, that any official correspondence or communications passed between the settlers and the English Government till 1661, but the infant Colony was left to its own slender resources to struggle with innumerable difficulties and hardships, incident to the commencement of all new settlements:—This want of attention on the part of the British Government to the new Colony, may be ascribed to the civil dissensions and popular tumults which soon after commenced in England, which resulted in a long and bloody civil war, and eventually in the dethronement and execution of King Charles the First in 1649, which was soon followed by the dissolution of the monarchy, and the elevation of Cromwell to the Protectorship of England, Scotland, Ireland &c. in 1653. On the death of Cromwell in 1657, he was succeeded by his son Richard, who proved a weak and inefficient man, and resigned the Protectorship in 1659; upon which the monarchy was soon restored, and Charles the Second ascended the throne in 1660; the Government of England soon became settled and permanent; and a correspondence between them and the Colony commenced, which will be given in Chronological order.

*A COMPACT or CONSTITUTION of Government, entered into and adopted by the Colony of Connecticut, January 14th, 1638.**

For as much as it has pleased the Almighty God by the wise disposition of his Divine Providence so to order and dispose of Kings, that we the Inhabitants of Windsor, Hartford, and Weathersfield,† now cohabiting and dwelling in and upon the River of Connecticutt and the Lands thereunto adjoining, and well knowing when a people gathered together, the word of God requires that to maintain the peace and union of such a people, there should be an orderly and decent Government established according to God, to order and dispose of the affairs of the people at all seasons as occasion shall require; do therefore associate and conjoin ourselves to be as one publick Estate or Commonwealth, and do for ourselves and successors and such as shall be adjoining to us at any time hereafter, enter into combination and confederation together to maintain and preserve the Liberty and purity of the Gospel of our Lord Jesus Christ, which we now profess; as also the Discipline of the Church of Christ, according to the truth of said Gospel as now preached amongst us, as also in civil affaires to be guided and governed according to such Laws, Rules, Orders and De-

* This date of 1638, is owing to the manner of dating at that time. The first settlers of the Colony commenced the year on the 25th of March, and this was evidently in 1639, for as appears by the Record, the December preceding was 1638, and the April following 1639.

† The three towns, Windsor, Hartford and Wethersfield, composed at that time the Colony of Connecticut.

crees as shall be made Ordered and Decreed as followeth:—

I. It is ordered, sentenced and decreed, that there shall be yearly two Assemblys or Courts, the one the second Thursday of April, the other the second Thursday of September following, the first shall be called the Court of Election, wherein shall be yearly chosen from time to time so many Magistrates and other publick officers as shall be found requisite. Whereof one to be chosen Governour for the year ensuing and untill another be chosen, and no other Magistrate to be chosen for more than one year, provided always there be six chosen beside the Governor, which being chosen and sworn according to an oath, recorded for that purpose, shall have power to administer justice according to the rule there established, and for want thereof according to the rule of the word of God, which choice shall be made by all that are admitted freemen and have taken the oath of fidelity and do cohabit within this jurisdiction, having been admitted inhabitants by the major part of the Town wherein they live, or the major part of such as shall be there present.

II. It is ordered, sentenced and decreed, that the Election of the aforesaid Magistrates shall be in this manner: every person present and qualified for chusing, shall bring in to the persons (deputed to receive them) one single paper with the name of him written on it whom he desires to have Governour, and he that hath the greatest number of papers shall be Governour for that year. And the rest of the Magistrates or publick officers to be chosen in this manner, the Secretary for the time being shall first read the names of all that are to be put to choice and then shall severally nominate them distinctly, and every one that

would have the person nominated to be chosen, shall bring in one single paper written upon, and he that would not have him chosen shall bring in a blank, and every one that hath more written papers than blanks, shall be a Magistrate for that year, which papers shall be received and told by one or more that shall be then chosen by the Court and sworn to be faithfull therein. But in case there should be five chosen as aforesaid, beside the Governour, out of those which are nominated, then he or they which have the most written papers shall be a Magistrate or Magistrates for the ensuing year to make up the aforesaid number.

III. It is ordered, sentenced and decreed, that the Secretary shall not nominate any person, nor shall any person be chosen newly into the Magistracy, which was not propounded in some general Court before to be nominated the next Election, and to that end it shall be lawfull for each of the towns aforesaid by their deputies, to nominate any two who they conceive fitter to be put to Election, and the Court may add so many more as they judge requisite.

IV. It is ordered, sentenced and decreed, that no person to be chosen Governour above once in two years, and that the Governour be always a member of some appointed congregation, and formerly of the Magistracy within this jurisdiction, and all the Magistrates freemen of this Commonwealth, and that no Magistrate or other publick officer shall execute any part of his or their office before they are severally sworn, which shall be done in the face of the Court if they be present, and in case of absence, by some deputed for that purpose.

V. It is ordered, sentenced and decreed, that to the aforesaid Court of Election, the several

Towns shall send their deputies, and when the Elections are ended, they may proceed in any publick service as at other Courts, unless the other General Court in September, shall be for making of laws and any other public occasion, which concerns the good of the Commonwealth.

VI. It is ordered, sentenced and decreed, that the Governour shall either by himself or Secretary, send out summons to the Constables of each town for the calling of these two standing Courts, one month at least, before their several times, and also if the Governour and the greatest part of the Magistrates see cause upon any special occasion to call a General Court, they may give order to the Secretary so to do within fourteen days warning, and if urgent necessity so require, upon a shorter notice, giving sufficient grounds for it to the deputies when they meet, or else be questioned for the same, and if the Governour and the major part of Magistrates shall either neglect or refuse to call the two General standing Courts or either of them, as also at other times when the occasions of the Commonwealth require, the freemen thereof, or the major part of them shall petition to them so to do, then if it be either denied or neglected, the said freemen or the major part of them, shall have power to give orders to the Constables of the several towns to do the same, and so may meet together and chuse to themselves a Moderator, and may proceed to do any act of power which any other General Court may.

VII. It is ordered, sentenced and decreed, that after there are warrants given out for any of the said General Courts, the Constable or Constables of each town shall forthwith give notice distinctly to the inhabitants of the same, in some Public Assembly, or by going or sending from

house to house, that at a place and time, by him or them limited and set, they meet and assemble themselves together to elect and chuse certain deputies to be at the General Court then following, to agitate the affairs of the Comonwealth, which said deputies shall be chosen by all that are admitted inhabitants in the several towns, and have taken the oath of fidelity, provided that none be chosen a deputy for any General Court which is not a freeman of this Comonwealth. Therefore said deputies shall be chosen in manner following: every person that is present and qualified as before expressed, shall bring the names of such, written in several papers as they desire to have chosen for that employment, and those three or four, more or less being the number of the papers written for them shall be deputies for that Court, whose names shall be endorsed on the backside of the warrant, and returned into the Court with the Constable or Constables hand unto the same.

VIII. It is ordered, sentenced and decreed, that Windsor, Hartford and Weathersfield, shall have power, each town to send four of their freemen as their deputies to every General Court, and whatsoever other towns shall be hereafter added to the jurisdiction, they shall send so many deputies as the Court shall think meet, a reasonable proportion to the number of freemen that are in the said towns, being to be attended therein, which deputies shall have the power of the whole town to give their votes and allowance to all such laws and orders as may be for the publick good, and unto which the said towns are to be bound.

IX. It is ordered, sentenced and decreed, that the deputies thus chosen, shall have power and liberty to appoint a time and a place of meeting together before any General Court, to advise and

consult of all such things as may concern the good of the publick, as also to examine their own Elections whether according to the order, and if they or the greatest part of them find any Election to be illegal, they may seclude such person present from their meeting, and return the same and their reasons to the Court, and if it prove true the Court may fine the party or parties so intruding, and also the Town if they see cause, and give out a warrant to go to a new Election in a legal way, either in part or in whole; also the said deputies shall have power to fine any that shall be disorderly at their meetings, or for not coming in due time or place according to appointment, and they may return the said fines into the Court, if it be refused to be paid, and the Treasurer to take notice of it and collect or levy the same as he doth other fines.

X. It is ordered, sentenced and decreed, that every General Court, except such as thro neglect of the Governor and the greatest part of Magistrates, the Freemen themselves do call, shall consist of the Governor or some one chosen to moderate the Court, and four other Magistrates at least, with the major part of the deputies of the several towns legally chosen. And in case the freemen, or the major part of them, through neglect or refusal of the Governor, and major part of the Magistrates shall call a Court, it shall consist of the major part of freemen that are present, or their deputies, with a moderator chosen by them, in which said General Court shall consist the supreme power of the Commonwealth, and they only shall have power to make Laws or repeal them, to grant levies, to admit freemen, dispose of lands undisposed of to several towns or persons, and also shall have power to call either Court or

Magistrate or any other person whatsoever into question for any misdemeanor, and may for just causes displace or deal otherwise, according to the nature of the offence; and also may deal in other matter that concerns the good of this Commonwealth, except Election of Magistrates, which shall be done by the whole body of freemen; in which Court the Governor or Moderator shall have power to order the Court to give liberty of speech, and to silence unreasonable and disorderly speakings, to put all things to vote, and in case the vote be equal, to give the casting voice. But none of these Courts shall be adjourned or dissolved without the consent of the major part of the Court.

XI. It is ordered, sentenced and decreed, that when any General Court upon the occasions of the Commonwealth, have agreed upon any sum or sums of money to be levied upon the several towns within this jurisdiction, that a committee be chosen to sett out and appoint what shall be the proportion of every town to pay of the said levy, provided the committee be made up of an equal number out of each town.

14th January 1638, the 11 orders abovesaid are voted.

The oath of the Governor for the present year.

I, A. B. being now chosen to be Governor within this Jurisdiction, for the year ensuing and untill a new be chosen, do swear by the great and dreadfull name of the everliving God, to promote the public good and peace of the same according to the best of my skill, and also will maintain all lawfull priviledges of this Commonwealth, as also that all wholesome Laws that are or shall

be made by lawfull authority here established be duly executed, and will further the execution of justice according to the rule of Gods word, so help me God in the name of the Lord Jesus Christ.

The oath of a Magistrate for the present year.

I, N. W. being chosen a Magistrate within this Jurisdiction for the year ensuing, do swear by the great and dreadfull name of the ever living God, to promote the publick good and peace of the same according to the best of my skill, and that I will maintain all the lawfull priviledges thereof, according to my understanding, and also assist in the execution of all such wholesome Laws as are made or shall be made by lawfull authority there established, and will further the execution of justice for the time aforesaid according to the righteous rule of God's word, so help me God.

The oath of a Constable.

I, A. B. of W. do swear by the great and dreadfull name of the everliving God, that for the year ensuing and untill a new be chosen I will faithfully execute the office and place of a Constable for and within the said plantation of W, and the limits thereof, and that I will endeavor to preserve the publick peace of the said place and Comonwealth, and will do my best endeavour to see all watches and wards executed, and to obey and execute all lawfull commands or warrants that come to me from any Magistrate or Magistrates or Court, so help me God in the Lord Jesus Christ.

In accordance with the foregoing articles, the people assembled at Hartford on the second Thursday of April 1639, and elected the following officers for the year ensuing, viz :

John Haynes, Governor—Roger Ludlow, Deputy Governor.

George Wyllys, Edward Hopkins, Thos. Wells, John Webster, William Phelps, Magistrates or Assistants.

The Representatives of the General Court were John Steele, Mr. Spencer, John Pratt, Edward Stebbins, Mr. Gaylord, Henry Wolcott, Mr. Stoughton, Mr. Ford, Thurston Rayner, George Hubbard, Richard Crabb.*

ARTICLES of CONFEDERATION betwixt the Plantations under the Government of the Massachusetts, the Plantations under the Government of Plymouth, the Plantations under the Government of Connecticut, and the Government of New Haven, with the Plantations in combination therewith.

WHEREAS we all come into these parts of America, with one and the same end and ayme, namely, to advance the Kingdome of our Lord Jesus Christ, and to enjoy the liberties of the Gospel, in purity with peace; and whereas in our settling by a wise Providence of God we are further dispersed upon the sea coasts and Rivers, then

* This was the first Election by the People in Connecticut.

was first intended, so that we cannot (according to our desire) with convenience communicate in one Government, and Jurisdiction; and whereas we live encompassed with people of severall nations, and strange languages, which may hereafter prove injurious to us, and our posterity: and for as much as the natives have formerly committed sundry insolencies and outrages upon several plantations of the English, and have of late combined themselves against us; and seeing by reason of the sad distractions in England, which they have heard of; and by which they know we are hindered, both from that humble way of seeking advice, and reaping those comfortable fruits of protection which, at other times, we might well expect; we therefore doe conceive it our bounden duty, without delay, to enter into a present consotiation amongst ourselves, for mutuall help and strength in all our future concernments, that as in nation, and religion, so in other respects, we be, and continue, one, according to the tenour and true meaning of the ensuing articles.

1. Wherefore it is fully agreed and concluded by and between the parties, or jurisdictions above named, and they doe joyntly and severally by these presents agree and conclude, that they all be, and henceforth be called by the name of the United Colonies of New England.

2. The said United Colonies for themselves, and their posterities, doe severally and joyntly and severally hereby enter into a firm and perpetuall league of friendship and amity, for offence and defence, mutuall advice and succour, upon all just occasions, both for preserving and propagating the truth, and liberties of the Gospel, and for their own mutuall safety and wellfare.

3. It is further agreed, that the plantations

which at present are, or hereafter shall be settled within the limits of the Massachusetts, shall be forever under the government of the Massachusetts; and shall have peculiar jurisdiction amongst themselves, as an entire body; and that Plymouth, Connecticut, and New Haven, shall each of them, in all respects, have the like peculiar jurisdiction and government, within their limits. And in reference to the plantations which already are settled, or shall hereafter be erected and shall settle within any of their limits respectively, provided that no other jurisdiction shall hereafter be taken in, as a distinct head, or member of this confederation, nor shall any other, either plantation or jurisdiction in present being, and not already in combination, or under the jurisdiction of any of these confederates, be received by any of them, nor shall any two of these confederates, joyned in one jurisdiction, without consent of the rest, which consent to be interpreted, as in the sixt ensuing articles is expressed.

4. It is also by these confederates agreed, that the charge of all just wars, whether offensive or defensive, upon what part or member of this confederation soever they fall, shall both in men, provisions, and all other disbursements, be borne by all the parts of this confederation, in different proportions, according to their different abilities, in manner following, namely: that the commissioners for each jurisdiction, from time to time, as there shall be occasion, bring a true account and number of all the males in each plantation, or any way belonging to, or under their severall jurisdictions, of what quality, or condition soever they be, from sixteen years old, to three score, being inhabitants there; and that according to the different numbers, which from time to time be found in

each jurisdiction, upon a true, and just account, the service of men, and all charges of the war, be born by the poll: each jurisdiction or plantation, being left to their own just course and custome, of rating themselves and people, according to their different estates, with due respect to their qualities and exemptions among themselves, though the confederation take no notice of any such privilege. And that according to the different charge of each jurisdiction, and plantation, the whole advantage of the war (if it please God to so bless their endeavours) whether it be in lands, goods, or persons, shall be proportionably divided among the said confederates.

5. It is further agreed, that if any of these jurisdictions, or any plantation, under or in combination with them, be invaded by any enemy whomsoever, upon notice, and request of any three Magistrates of that jurisdiction so invaded: the rest of the confederates, without further notice or expostulation, shall forthwith send ayde to the confederate in danger, but in different proportion; namely, the Massachusetts, one hundred men sufficiently armed and provided for such a service and journey; and each of the rest, five and forty men, so armed and provided, or any lesse number, if lesse be required, according to this proportion.— But if such a confederate may be supplied by their next confederate, not exceeding the number hereby agreed, they may crave help there, and seek no further for the present. The charge to be born, as in the articles is expressed; and at their return to be victualled and supplied with powder and shot (if there be need) for their journey, by that jurisdiction, which employed or sent for them. But none of the jurisdictions to exceed these numbers, till by a meeting of the commis-

sioners for this confederation, a greater ayde appear necessary. And this proportion to continue, till upon knowledge of the numbers in each jurisdiction, which shall be brought to the next meeting, some other proportion be ordered. But in any such case of sending men for present ayde, whether before or after such order or alteration, it is agreed, that at the meeting of the commissioners, for this confederation, the cause of such war or invasion, be duly considered, and if it appear, that the fault lay in the party so invaded, that then, that jurisdiction or plantation, make just satisfaction, both to the invaders, whom they have injured, and bear all the charges of the war themselves, without requiring any allowance from the rest of the confederates toward the same.

And further, if any jurisdiction see any danger of an invasion approaching, and there be time for a meeting, that in such case, three Magistrates of that jurisdiction may summon a meeting, at such convenient place, as themselves shall think meet, to consider, and provide against the threatened danger. Provided, when they are met, they may remove to what place they please, onely while any of these four confederates, have but three Magistrates in their jurisdiction, a request or summons, from any two of them, shall be accounted of equal force, with the three mentioned in both the clauses of this article, till there be an increase of Magistrates there.

6. It is also agreed, that for the managing and concluding of all affaires proper to, and concerning the whole confederation, two commissioners shall be chosen by, and out of the foure jurisdictions, namely: two for the Massachusetts, two for Plymouth, two for Connecticut, and two for New Haven, being all in church fellowship with us, which

shall bring full power from their severall generall Courts respectively, to hear, examine, weigh and determine all affaires of war, or peace, leagues, aydes, charges and numbers of men for war, division of spoyles, or whatsoever is gotten by conquest, receiving of more confederates, or plantations into combination with any of these confederates, and all things of like nature, which are the proper concomitants, or consequences of such a confederation, for amity, offence, and defence, not intermeddling with the government of any of the jurisdictions, which by the third article, is preserved entirely to themselves. But if these eight commissioners, when they meet, shall not all agree, yet it is concluded that any six of the eight agreeing, shall have power to settle, and determine the businesse in question. But if six doe agree, that then such propositions, with their reasons, so far as they have been debated, be sent, and refered to the foure generall Courts, viz: the Massachusetts, Plymouth, Connecticut, and New Haven. And if at all the said generall Courts business so referred, be concluded, then to be prosecuted by the confederates, and all their members. It is further agreed, that these eight commissioners shall meet once every year, besides extraordinary meetings, according to the fifth article, to consider, treat, and conclude of all affaires belonging to this confederation, which meeting shall ever be the first Thursday in September. And that the next meeting after the date of these presents, which shall be accounted the second meeting, shall be at Boston in the Massachusetts, the third at Hartford, the fourth at New Haven, the fifth at Plymouth, the sixth and seventh at Boston; and then Hartford, New Haven, and Plymouth, and so in course successively. If in the mean time, some middle

place be not found out, and agreed on which may be comodious for all the jurisdictions.

7. It is further agreed, that at each meeting of the eight commissioners, whether ordinary or extraordinary; they all, or any six of them agreeing as before, may choose their President out of themselves, whose office and work, shall be to take care, and direct for order, and a comely carrying on of all proceedings in the present meeting. But he shall be invested with no such power or respect, as by which he shall hinder the propounding or progresse of any businesse, or any way cast the scales, otherwise then in the precedent article is agreed.

8. It is also agreed, that the commissioners for this confederation, hereafter at their meetings, whether ordinary or extraordinary, as they may have commission or opportunity, doe endeavour to frame and establish agreements and orders in generall cases of a civil nature, wherein all the plantations are interested, for preserving peace amongst themselves, and preventing (as much as may be) all occasions of war, or differences with others, as about the free and speedy passage of justice in each jurisdiction, to all the confederates equally, as to their own, receiving those that remove from one plantation to another without due certificates, how all the jurisdictions may carry it towards the Indians that they neither grow insolent, nor be injured without due satisfaction, lest war break in upon the confederates, through such miscarriage. It is also agreed, that if any servant run away from his master, into any other of these confederated jurisdictions, that in such case, upon the certificate of one Magistrate in the jurisdiction, out of which the said servant fled, or upon other due proof, the said servant shall be delivered, either to his mas-

ter, or any other that pursues, and brings such certificate, or proof. And that upon the escape of any prisoner whatsoever, or fugitive, for any criminal cause, whether breaking prison, or getting from the officer, or otherwise escaping, upon the certificate of two Magistrates of the jurisdiction, out of which the escape is made, that he was a prisoner, or such an offender at the time of the escape; the magistrates, or some of them, of that jurisdiction, where for the present the said prisoner or fugitive abideth, shall forthwith grant such a warrant, as the case will bear, for the apprehending of any such person, and the delivering of him into the hand of the officer, or other person who pursueth him. And if help be required for the safe returning of any offender, it shall be granted unto him that craves the same, he paying the charges thereof.

9. And for that the justest wars may be of dangerous consequence, especially to the smaller plantations, in these united colonyes, it is agreed, that neither the Massachusetts, Plymouth, Connecticut nor New Haven, nor any of the members of any of them, shall at any time hereafter, begin, undertake or engage themselves, or this confederation or any part thereof, in any war whatsoever, (sudden exigents with the necessary consequences thereof excepted, which are also to be moderated, as much as the case will permit) without the consent and agreement of the forenamed commissioners, or at least six of them, as in the sixth article is provided. And that no charge be required of any of the confederates in case of a defensive war, till the said commissioners have met, and approved the justice of the war; and have agreed upon the sum of money to be levied, which sum is then to be paid by the severall con-

federates, in proportion, according to the fourth article.

10. That in extraordinary occasions, when meetings are summoned by three Magistrates of any jurisdiction, or two, as in the fifth article, if any of the commissioners come not, due warning being given, or sent, it is agreed, that four of the commissioners shall have power to direct a war, which cannot be delayed, and to send for due proportions of men, out of each jurisdiction, as well as six might doe, if all met, but not lesse than six shall determine the justice of the war, or allow the demands, or bills of charges, or cause any levies to be made for the same.

It is further agreed, that if any of the confederates shall hereafter break any of these present articles, or be any other way injurious to any one of the other jurisdictions, such breach of agreement, or injury shall be duly considered, and ordered by the commissioners for the other jurisdictions, that both peace, and this present confederation, may be entirely preserved without violation.

Lastly, this perpetuall confederation, and the severall articles and agreements thereof, being read and seriously considered, both by the generall Court for the Massachusetts, and by the commissioners for Plymouth, Connecticut, and New Haven, were presently and fully allowed and confirmed by three of the forementioned confederates, namely : the Massachusetts, Connecticut and New Haven ; in testimony whereof, the generall Court of the Massachusetts, by their Secretary, and the commissioners for Connecticut and New Haven, subscribed them the 19th day of the third month, commonly called May, Anno. Domoni, 1643.

Only the commissioners from Plymouth, having brought no commission to conclude, desired re-

spite to advise with their generall Court, which was granted, and at the second meeting of the commissioners for the confederation, held at Boston, in September following, the commissioners for the jurisdiction of Plymouth, delivered in an order of their generall Court, dated the 29th of August 1643, by which it appeared that these articles of confederation were read, approved and confirmed by the said Court, and all their townships, and their commissioners authorized to ratifie them by their subscriptions, which they accordingly did the 7th day of September, 1643.

The foregoing articles were signed in behalf of the Commissioners and the General Court of Massachusetts, by Increase Howell, Secretary.

The Commissioners for Massachusetts, were John Winthrop, Joseph Dudley, Simon Bradstreet, W. Hawthorne, Mr. Gibbons, Mr. Tyng.

For Connecticut, John Haynes, Edward Hopkins.

For New Haven, Theophilus Eaton, Thomas Gregson.

For Plymouth, Edward Winslow, William Collier.

The humble Petition of the General Court at Hartford upon Connecticott in New England, to the High and mighty Prince Charles the second, humbly sheweth,

That your Petitioners have not had for many years past, since their possession and inhabiting

these western and innland parts of this wilderness, any opportunity, (by reason of the calamities of the late sad times) to look for and obtain such grant by letters pattents, from your excellent Majesty, the Sovereign Lord and King, as might assure them of such liberties and priviledges and sufficient power, as might encourage them to go on through all difficulties, hazzards and expences, in so great a work of plantation, in a place so remote from the christian world, and a desert so difficultly subdued, and no way improveable for subsistence, but by great cost and hard labour with much patience and cares ; and whereas besides, the great charge that hath been expended by our Fathers, and some of their associates yett surviving, about the purchass, building, fortifying and other matters of cultering and improveing to a condition of safety and subsistence in the places of our present abode amonge the Heathen, whereby there is a considerable, and a reall addition to the honnour and enlargements of his Majesties dominion, by the sole disbursments of his Majesties subjects here, of their own proper Estates : They have laid out a very great summ for the purchassing a Jurisdiction Right, of Mr. George Fenwick, which they were given to understand was derived from true Royall authority, by Letters Pattents to certain Lords and Gentlemen therein nominated ; a copy whereof was produced before the commissioners of the colonys, and approved by them, as appears by their Records, a copping whereof is ready to be presented at your Majesties command ; though either by fire, at an house, where it had been sometimes kept, or some other accident, is now lost, with which your poor subjects were rather willing to have contented themselves within those afflicting times, then to look for

power or priviledges from any then their lawfull Prince and Sovreign.

May it therefore please your most gracious and Excellent Majestie to confer upon your humble Petitioners (who unanimously do implore your Highness favour and Grace therein) those liberties, rights, authoritys and priviledges which were granted by the forementioned Letters Pattents, to certain Lords and Gent. so purchased as aforesaid, or which were enjoyed from those Letters Pattents, granted to the Massachusetts Plantation by our Fathers, and some of us yett surviveing when there, in our beginnings inhabiting: and upon which those large incouragements, liberties and priviledges, so great a transplantation from our dear England, was undertaken (and supposed to be yett our inheritance, till the running of that western line, the bounded limits of those Letters Pattents did since our removall thence determine our lott to be fallen without the limits of that so bounded authority.) May it please your Majestie graciously to bestow uppon your humble suppliants such Royall munificence according to the tenour of a draft or instrument, which is ready here to be tendered at your Gracious order.

And whereas besides those many other great disbursements as aforesaid, in prosecution of this wilderness work, your poor Petitioners were forced to maintain a warr against one nation of the Heathens that did much interrupt the beginnings of your servants, by many bloody and hostile acts, whereby divers of our dear countrymen were treacherously destroyed, and have also been ever since, and are still at much charge in keeping such a correspondence of peace and amity, with the divers sorts of the heathen nations that are round about your plantations, thus far extended into the

bowells of the country, besides the maintenance of all publick charges for church and civill affairs, which are very great, in respect of our great poverty: May it please your most Excellent Majestie, out of your princely bounty to grant our immunity from customes as may encourage the merchants, to supply our necessities, in such comodities as may be wanting here, for which we have neither silver nor gold to pay, but the supply in that kind may inable in due time to search the bowells of the earth for some good minerals, whereof there seem to be fair probabilities, or produce some such other staple comodities, as may in future time opperate to be good effects of y'r Majesties goodness and bounty. If your poor colony may find this Gracious acceptance with your Majestie, as to grant their humble desires, whereby they may be encouraged to goe on carefully and strenuously in their plantation business, in hope of a comfortable settlement for themselves, and their posterity, that under your Royall Protection, they may prosper in this desert, they shall, as is their acknowledged duty, ever pray for your great tranquility and perpetuall happiness, and humbly craveing leave they subscribe themselves, your Majesties Loyall Subjects and Servants.

The Generall Court of the Colony of Connecticut in New England, pr their Order,

DANIEL CLARK, *Secry.*

Dated June 7th, 1661.

Note.—At a Session of the General Court in May, it was resolved to petition the King for a Charter under the Royal Signature. They avowed their allegiance to his Majesty Charles the Second, and declared themselves his faithful subjects; and that it was necessary to petition his grace for the continuance of their rights and privileges. The Court re-

solved that five hundred pounds (due the Colony from a Mr. Cullick)* should be appropriated to the prosecution of their address and application for a Charter. Governor Winthrop was appointed Agent to present the petition to his Majesty, and transact all affairs in England relative to it. At the same time a letter was addressed to Lord Say and Seal, representing the encouragements which they had received from him, with assurances of his patronage and favor. He received the address from the Colony most favorably, and gave Gov. Winthrop all the assistance in his power. Gov. Winthrop was a man of address, and he arrived in England at a happy time for Connecticut. He had an extraordinary Ring, which had been given his Grand Father by King Charles the first, which he presented to the King: Under these circumstances the petition of Connecticut was presented, and was received with uncommon grace and favor. Upon the 23d of April 1682, his Majesty granted the Colony his letters patent, conveying the most ample privileges, under the great seal of England. Trum. Hist. Con.

*Copy of a Letter sent from the Governor and
General Court of the Colony of Connecticut, to
the Lord Say and Seal.*

RIGHT HONOURABLE—

The former encouragements that our Fathers and some of their yett surviving associates received from your Honour, to transplant themselves and families into these inland parts of this vast wilderness, where (as we have been given to understand) your Honnor was, and as we conceive

* It appears from the Records of the Colony, that the various appropriations made, and taxes imposed, to defray the charges of Gov. Winthrop's agency, and other necessary expences attending it, that the Charter cost the Colony nearly \$6000.

and hope are still interested by value of Patten power, and authority, doth not only perswade us, but assure us of your patronage and favour, in that which may come within your power, wherein our comfort and settlement, and the well being of our posterity, and the whole Colony, both in civill and Ecclesiastick pollicie is so deeply concerned. Honourable Sir, nött long after that some persons of noate, we forbear to recite, had settled upon this River of Connecticott, and some Plantations up the River were possessed, and in some measure improved; Mr. George Fenwick took possession of Saybrook Fort, there resideing for certain or severall years; at length he was moved for ends best known to himself to returne to England, and thereupon propounded by himself, or agent, the sale of the Fort, with the Housing there, and severall appertenances, together with all the Lands on the River, and so to the Narragansett Bay, with jurisdiction power to this Colony, which was exceedingly opposed by severall amongst us, whom some of us have heard to affirm that such a thing would be very distastfull to your Honour, with the rest of the noble Pattentees, who had very bountifull intentions to this Colony nevertheless, tho there was a stopp for the present, yett in some short time, (God removeing some from us by death, that were interested in the hearts and affections of severall of those Nobles and Gent. the Pattentees in England) the business of purchass was revived by Mr. Fenwick, and expressions to this purpose given out by him or his agents, or both, that he had power to dispose of the premises, the rest of the Pattentees deserting, it fell into his hands by agreement; and in case the Towns on the River, refused to comply with such terms as he proposed for the purchassing of the said

Fort &c., itt was frequently reported that he proposed either to impose customes on the River, or make sale thereof to the Dutch, our noxious neighbours, at last for our peace and settlement and security (as we hoped) we made by our Committee, an agreement with the said Mr. Fenwick, a coppie whereof is ready to be presented unto your Honnour, which cost this River, one thousand six hundred pounds or thereabouts, wherein your Honnour may see the great abuse that we received at Mr. Fenwicks hand, receiving a vast sum from a poor people, and we scarcely att all advantaged thereby; may we judge our condition worse then if we had contented ourselves with the patronage of the grand Pattentees, for we have not so much as a copy of a Pattent to secure our standing as a comonwealth, nor to ensure us for the continuance of our rights and priviledges and immunities, which we thought the jurisdiction power and authority which Mr. Fenwick had engaged to us, and we paid for at a dear rate, nor any thing under his hand to engage him and his heirs, to the performance of that which was aimed at and intended in our purchase, the lands up the River for a long tract, the Massachusetts Colony doth challenge, and have run the line, which as they say, falls into one of our Towns; on the other side towards Narragansett, we know not how to claime, being destitute of Pattent and a coppie to decide the bounds. Be pleased noble Sr to consider our condition, who have taken upon us this boldness to address his Majestie, our Sovreigne Lord, and to petition his Grace and favour towards us, in granting us the continuance of his protection, and the continuance of those priviledges and immunities, that we have hitherto enjoyed in this remote western part of the world; and likewise for a

Pattent, whereby we may be encouraged and strengthened in our proceedings. Right Honourable, our humble request to yourself is, that you would be pleased to countenance our enterprize, and so farr favour us, as to counsell and advise our agent who is to Represent this poor Colony, and to act in our behalfe, John Winthrop Esqr., our Honnoured Governour, whom we have commissioned and also directed to await your Honnours pleasure, for advise and counsell, both respecting our Petition for the King's Majestie, as also respecting the case forementioned, that if there be any relief for us, we may not lose such a considerable sum of money, and be exposed to further expence for the obtaining a Pattent. If we may find this favour with your Honnour to afford your advice and counsell and hopefulness to bring to pass our desiers, we shall still acknowledge your enlarged bounty and favourable respect to us and ours, and ever pray an inundation of mercies may flow in upon your Lordship from the auther and fountain of blessing, with all due respect, we subscribe Sr your Lordships Humble Servants.

The Generall Assembly of the Colony of Connecticut, pr, their Order,

DANIEL CLARK, *Secry.*

Dated June 7th, 1661.

The Order and conclusion of his Majesty's Commissioners relative to Indian Lands in the Narroganset Country.

Haveing received from some of the principall Sachems of the Narrogansett Indians, a submission, and a surrender of themselves, their subjects and their lands, to the protection, Government and dispose of our dread Sovreign the King of Great Brittain, France and Ireland, as well by their personal acknowledgements and laying down their arms, as at his Majesties feet, and sending his Majesty some presents, as also by giving us a Deed, dated April 19th, 1644, wherein they and all the other chief Sachems of that country, did then submitt, subject and give over themselves to his late Majesty of blessed memory, and by presenting to us severall Petitions and declarations, containing many injuries, which (they say) they have received from severall of his Majesties English subjects, against whom they desire justice from us. Wee his Majesties Commissioners have received them into his Majesties protection, and do in his Majesties name, order, appoint and command, that the said country from hence forward be called the Kings Province, and that no person of what Colony soever presume to exercise any jurisdiction within this the Kings Province, but such as receive authority from us under our hands and seals, untill his Majesties pleasure be further known: and we also declare that this the Kings Province doth extend to Pawkatuck River westward, and a north line drawn to the Massachusetts from the midst of the mouth thereof.

And whereas Major Atherton, and others of his Majesties Colony of the Massachusetts, pretend a

mortgage of a great part of the said country, we order and appoint, that whenever either of the Sachems, known by the name Pessicus or Nene-craft, or any authorized by them, do pay unto any one of the persons laying claime to the same mortgage, the sum of seven hundred thirty-five Fathoms of Peage, the said mortgage shall be void, and whatever is thereupon pretended to by them.

And whereas there is also two purchases pretended to, of two great tracts of land, by the same Major Atherton, Capt. Hudson and others of his Majesties Colony of Massachusetts, bought of Cachanaquaud, in the Narrogansett country, in the year 1659, in which Deed there is no mention of any consideration, and that it appears the said pretending purchasers know that the said country was submitted to his Majestie, as well by witnesses as by the said submission, being eighteen years ago printed. Wee his Majesties commissioners haveing heard the whole business, do declare the said purchases to be void, and order and command that the purchasers shall quitt, and go off the said pretended purchased land, and shall not keep any cattle of any sort upon the said land by pretence of the said purchase, after the feast of St. Michael next; if within that time, either of the Sachems above named, or any authorized by them, do pay unto any one of the said purchasers the summ of three hundred Fathom of Peage, which is the only sum acknowledged to be received by the said Cachanaquaud—Given under our hands and seals at Petaquamskuck the 20th March, 1664.

ROBERT CARR,

GEORGE CARTWRIGHT,

SAMUEL MAVERICK.



Our meaning in settling the western bounds to the Kings Province, is not to take any land on the west side of the River mouth called Paucatuck, therefore we declare that the northern line to be drawn to the Massachusetts line shall begin in the midst of the said River, a little above Thomas Shaw's House, as soon as one may ride over the River on horseback at low water.

Given under our hands at Southerton, March 30th, 1665.

ROBERT CARR,
GEORGE CARTWRIGHT,
SAMUEL MAVERICK.

A Letter from his Majesty Charles 2d, to the Governor and Council of the Colony of Connecticut.

CHARLES R.

Trusty and well beloved wee greet you well, having according to the resolution wee declared to Mr. John Winthrop, at the time when wee renewed your Charter, now sent these persons of knowne abilityes and affection to us, that is to say Coll'n Richard Nicolls, Sir Robert Carr Knt. George Cartwright Esqr., and Samuel Mavericke Esqr., our commissioners to visitt those our severall Colonies and Plantations in New England, to the end that wee may be the better informed of the state and wellfare of our good subjects, whose prosperity is very deare to us, wee can make no question, but that they shall finde that reception from you, which may testify your respect to us,

from whome they are sent for your good, wee need not tell you how carefull wee are of your liberties and priviledges, whether Ecclesiasticall or civill, which wee will not suffer to be violated in the least degree: And that they may not bee, is the principall businesse of our sayd commissioners, as likewise to take care that the bounds and jurisdiction of our severall Colonies there may be clearly agreed upon, that every one may enjoye what of right belongs unto them without strife or contention; and especially that the natives of that countrey, who are willing to live peaceably and neighbourly with our English subjects, may receive such justice and civill treatment from them, as may make them the more in love with their Religion and manners; soe not doubting of your full compliance and submission to our desire, wee bid you farewell. Given at our Court, at White Hall, the 23d day of April, 1664, in the 16th year of our Reigne.

By his Majesties Command,

HENRY BENNITE.

To ye Governour and Councill of Conecticut in New England.

To our trusty and well beloved, our Governour and Councill of our Colony of Conecticut, in New England.

The Commission of Col. Richard Nicolls, Sir Robert Carr, George Cartright and Samuel Maverick, Esqrs. from King Charles 2d.

CHARLES R.

Charles the second, by the Grace of God, King of England, Scotland and France and Ireland, defender of the faythe &c. to all to whome these presents shall come Greeting—Whereas we have rec'd severall addresses from our subjects of severall coloneys of New England, all full of duty and affection, and expressions of loyalty and allegiance to us, with their humble desire that we would renew their several charters, and receive them into our favourable oppinion and protection ; and severall of our coloneys there. And other our loveing subjects have likewise complayned, differences and disputes arisen upon the limits and bounds of their severall charters and jurisdictions, whereby unneighbourly and unbrotherly contentions have and may arise, to the damage and discreditt of the English interests ; and thatt all our good subjects, residing there, and being planters, is within the severall coloney's do not enjoy the liberty and priviledges granted to them by our severall charters ; upon confidence and assurance of which, they transported themselves and their estates into those partes, and we having received some addresses from the great men and natives of those countreys, in which they complayne of breach of fayth and acts of violence and injustice, which they have been forced to undergoe from our subjects, whereby not onely our government is traduced, but the reputation and credit of christian religion brought into prejudice and reproach with the Gentiles and inhabitation of those countreys,

who know not God, the reduction of whom, to the true knowledge and feare of God, is the most worthy and glorious end of all those Plantations, upon all which motives, and as an evidence and manifestation of our fatherly affection towards all our subjects in those severall coloneys of New England, (that is to say) of the Massachusetts, Connecticut, New Plimouth, Road Island and the Providence Plantations, and all other Plantations within that tract of land, known under the appellation of New England, and to the end we may be truly informed of the state and condition of our good subjects there, that soe we may the better know how to contribute to the farther improvement of their happynesse and prosperity; know yee therefore, that we reposeing speciall trust and confidence in the fidelitie, wisdom and circumspection of our trusty and well beloved Colonell Richard Nicolls, Sir Robert Carr, Knight, George Cartwright Esquire and Samuell Mavericke, of our special grace certayn knowledge and mere motion, have made, ordayned, constituted and appoynted and by these presents doe make, ordayne, constitute and appoynt the sayd Colonell Richard Nicolls, Sir Robert Carr, Knight, George Cartwright and Samuel Maverick, our commissioners, and doe hereby give and grant unto them, or any three or two of them, or of the survivors of them (of whom we will the sayd Colonell Richard Nicolls dureing his life shall be allwayes one) and upon equall division of opinions to have the casting and decisive voyce, in our name to vissitt all and every the severall colonyes aforesayd and also all power and authority to heare and receive and to examine and determine all complaynts, appeals in all causes and matters, as well military as criminall and civill, and proceed in all things for

the providing for and settleing the appeals and equity of the said countrey, according to their good and sound discessions, and to such instructions as they or the survivours of them have, or shall from time to time receive from us, in that behalfe, and from time to time as they shall finde expedient, to certify us or our privy councill of their actings or proceedings, touching the premises and for the doeing thereof any other matter or thing relating thereunto, these presents or the enrolement thereof, shall be unto them, and every of them a sufficient warrant and discharge in that behalfe.— In witnesse whereof we have caused these our letters to be made pattents.

Given at our Court, at White Hall the 26th day of Aprill 1664, and in the sixteenth year of our Raigne.

BARKER.

The Lord Chancellors Letter to the Governour.

Good Mr. Governour,

You remember that I told you at parting, that his Majesty would shortly send Commissioners, which his great affection to his subjects there, hath induced him to doe, that he may receive a full account and information of the true state and condition of his severall colonies, and thereby know what further to contribute of his grace and goodness, for the encrease of your prosperity. I know you will give that reception and wellcom to the Commissioners, as is due to the quality they

52 *Duke Hamilton's Petition to the King, &c.*

come to you in, and take such order for their decent accomodation and treatment, whilst they stay in your colony, as may give a good example to the rest, which they are likewise to vissitt, in order, and may manifest your duty and affection to his Majesty, from whome they are sent. I have passed my word to them, that they shall finde all the assistance you can give them, by your civilities, information and advice. I wish all happinesse to your colony, and am good Mr. Winthrop your affectionate servant,

CLARENDON, C.

Worcester House, 28th April, 1664.

For my good friend, the Governour of his Majesties Colony of Connecticutt, in New England.

Copy of William, Duke Hamilton's Petition to the King, and his Majesties reference of the same to Col. Nichols &c. his Majesties Commissioners.

To the Kings most Excellent Majestie—

The Humble Petition of William Duke Hamilton, and Anne Dutchess of Hamilton, sheweth,

That whereas in the eleventh year of the Reigne of your Royall Father of ever blessed memory, the councill established at Plymouth in the county of Devon, for planting, ordering and governing of New England in America (according to the power given them in the eighteenth year of the Reigne of the late King James, by his Letters Pattents, bearing date the 3d day of November) did for a

competent summ of money and other valuable considerations, bargain and sell unto the Petitioners Father, by the name of James Marquess Hamilton, his heirs and assignees, all that part and portion of the main lands in New England, lying and beginning at the middle part of the mouth of the River Coverticu* to proceed along the sea coast, to be accounted about 60 miles, and so up to the westward arm of the River into the land northwestward till 60 miles be finished, and so to cross southwestward till 60 miles, all which part and portion of lands were to be called by the name of the county of New Cambridge, with severall other lands and priviledges, as by the said Deed of Feoffment doth more fully appear, a copy whereof is hereunto annexed—since which time and by reason of the late unhappy warr severall persons have possessed themselves of the best and most considerable parts of the said lands, without any acknowledgement of your Petitioners Right.

Your Petitioners therefore most humbly pray, that your Majestie will be graciously pleased to recomend the premises to your Majesties Commissioners for New England, and that care may be taken that your Petitioners may be restored to their just right, and that nothing be don to their prejudice.

At the Court at White Hall the 6th May 1664, His Majesty is graciously pleased to referr this Petition to the Commissioners now imployed by his Majesty to settle the affaires of New England, who are to examine the obligations thereof, and upon due consideration had, to preserve and restore to the Petitioners their just right and interest, or otherwise to report their opinions to his

* Connecticut.

Majestie, who will then declare his further pleasure for the Honnourable Petitioners justification.

HENRY BENNIT.

The Report or determination of his Majesties Commissioners concerning the Bounds of his Royal Highness the Duke of York's Patent and the Patent of the Colony of Connecticut.

By vertue of his Majesties commision we have heard the differences about the bounds of the patents, granted to his Royall Highnesse the Duke of Yorke and his Majesties Colony of Conecticut; and haveing deliberately considered all the reasons alleadged by Mr. Allyn Senr, Mr. Gold, Mr. Richards and Captaine Winthrop, appoynted by the Assembly, held at Hartford the 13th day of October 1664, to accompany John Winthrop Esqr., (the Governour of his Majesties Colony of Conecticut,) to New Yorke, and by Mr. Howell and Captaine Young of Long Island, why the sayd Long Island be under the Goverment of Connecticutt, which are to long here to be recited, wee doe declare and order, that the southern bounds of his Majesties Colony of Conecticut, is the sea, and that Long Island is to under the Goverment of his Royall Highness the Duke of Yorke, as is exprest by playn words, in the sayd patents respectively.

And also by vertue of his Majesties commission, and by the consent of both the Governours, and the gentlemen above named, wee allso order and declare, that the Creeke or River, called Momo-

ronock, which is reputed to be about twelve miles to the east of Chester, and a lyne drawne from the east poynt or side, where the fresh water falls into the salt, at high water marke, north, north-west, to the line of the Massachusets, be the western bounds of the sayd Colony of Conecticut, and all plantations lyeing westwards of that creeke and lyne so drawne to be under his Royall highnese Government, and all plantations lyeing eastward of that creeke and lyne, to be under the Government of Conecticut. Given under our hands at Forte James in New Yorke on Manhatans Island this 30th day of November, 1664.

**RICHARD NICOLLS,
GEORGE CARTWRIGHT,
SAMUELL MAVERICK.**

December 28th, 1664.

Wee under written, on the behalfe of the Colony of Conecticut, have assented unto this determination of his Majesties Commissioners in relation to the bounds and limits of his Royall Highness the Dukes pattent, and the pattent of Conecticut—Nov. 30th, 1664.

**JOHN WINTHROP,
MATHEW ALLYN,
NATHAN GOLD,
JAMES RICHARDS,
J. WINTHROP.**

A Letter from his Majesty Charles 2d, to the Governor and Council of the Colony of Connecticut, with the intelligence of the Declaration of War against France.

CHARLES R.

Trusty and well beloved, we greet you well ; in former letters* wee have directed you to put yourselves in the best way of defence you could, against the assaults of the French and Dutch, in those parts, and for the securing the coming of all shippes hither ; towards which you may assure yourselves that wee cooperate from hence, with our accustomed care for the good of our subjects, and because the time offers itself more favourably now then ever, of delivering yourselves from those unquiet neighbours ; wee have thought fitt to writt this unto you, to authoriz you to apply yourselves with all your force and skill, to the reducing to our obedience all islands and plantations, in those parts belonging to the French or Dutch nation ; and especially that of Cannada, the effecting of which we must leave to your *prudence* and good conduct, since it is impossible at this distance to instruct you therein. And that our trusty and well beloved Sir Thomas Temple, our Governour of Nova Scotia, may the better correspond with you, and be assisting therein, wee have by our letters required him thereunto, herewith sending you our declaration of the warre against France : which you are to publish in the manner you shall thinke fitt, taking the substance thereof and varying the forme of it, according to what hath been

* Never received, as stated in a note in the margin of the above letter.

used in such cases. And soe we bid you farewell.

Given at our Court att White Hall, the 22d day of February, in the 18th year of our Reigne, 1665—6.

By his Majesties Command,
ARLINGTON.

To our trusty and well beloved, the Governour and Councill, of our Colony of Connecticut, in New England.

A letter from his Majesties Commissioners to the Governor and General Assembly of the Colony of Connecticut, relative to the claim of the Marquis of Hamilton, &c.

GENTLEMEN—

We are very sorry we could not reach Hartford, where we intended to have freely discoursed of these things, which we now make our request, and they are,

That we may have something in writing, to return to the King concerning the grant of sixty miles square, on the eastern side of Connecticut river, &c. to James Marquess Hamilton, from the councill of Plymouth, in Devon, in the year 1635.

That there may be a place appointed betwixt the two rivers of Pawkatuck and Mohegan, for those Pequot Indians who now live on the eastern side of Pawkatuck river, where they shall continue till March the 1st 1665, and that then, if not

before, they may be removed to that appointed place, and leave the Kings province free.

That they may continue a distinct body of themselves not putt under other Sachems, nor their own, but under an Indian Governor, appointed by the Court, at least till the King's pleasure be known, they haveing requested this of us, upon good reasons, we mean the whole body of the Pequot Indians, both Robbins company as well as the other.

And that you would lett us know in what particulars you would have us to be solicitous to his Majestie for the advantage of your colony, and it shall cordially be endeavored by, your assured friends.

ROBERT CARR,
GEORGE CARTWRIGHT,
SAMUEL MAVERICK.

New London, March 25th, 1665.

For our honnoured friend, the Governor and General Assembly of his Majesties colony of Connecticutt.

Copy of the answer of the Governor and General Assembly of the Colony of Connecticut, to the Letter of his Majesties Commissioners.

To the honnourable Sr Robert Carr, Knight, George Cartwright, Esqr. and Samuel Maverick, Esqr. his Majesties Commissioners.

In answer to Duke Hamilton's Petition, respect-

ing a grant of land of sixty miles square, on the east side of the river Coverticu.

1. We are wholly ignorant of any river within the extent of our charter, that is known under such an appellation, and therefore cannot conceive that any part or tract of land under this Government is concerned in this demand.

2. Yet upon supposition that it may be conceived to intend Connecticutt river, wee humbly conceive that the originall pattent grant from Royall authority, to the Lord Say, and other Nobles and Gentlemen which we purchased at a dear rate, is lately ratified and confirmed by our gracious Sovreign, under the broad Seal of England, (the most absolute and unquestionable security of the English subjects) in which grants the lands forementioned are comprized. The grant to Connecticutt was precedent to that of Duke Hamilton severall years, which gives us to conclude, that propriety of title, will be settled upon priority of Grant.

3. A Considerable tract of this land which the Duke's Petition refers to, (if as before supposed, it be determined Connecticutt,) was possessed by a people most malignantly spirited against his Majesties English subjects, and at our first settling here, when we were weak and few, they grew very insolent against us, making invasion upon us, murthering many of our people, thereby necessitating us to a hazardous undertakeing, to cast ourselves into the arms of God's Providence, in endeavoring to suppress those bloody heathen, and through benediction we found a good success, and tho that wilderness land would not afford any considerable recompence for the loss of lives and

great expences, yet our peace, attained by that conquest, did greatly rejoyce us.

4. We have had peaceable possession this 30 years, free from the least claime of any other that ever we heard of, to this day; which perswades us, that if the Dukes Highness had ever reason by vertue of his grant, to make claime, yet that right pretended, is extinct in law many years since. His Majesty our Gracious Soyreign was pleased, of his abundant favour and grace, to his subjects of this colony, so farr to declare his free reception of the reasons forementioned, of our purchase made, and conquest recovered, and likewise by our improvement and labour bestowed upon these lands, as to insert them as motives to that late renewal of our charter.

We humbly crave that as it hath been his Majesties Royall pleasure to manifest his tender affection to, and care of his subjects wellfare in these his colonies of New England, in sending over his honnourable Commissioners to compose and issue those things that might be of ill consequence between the severall colonies, so likewise that it be well pleasing to his majesty, that this his colony of Connecticutt might be free from further trouble or inconvenience by this claime that wee understand hath been presented by the Marquis Hamilton.

And whereas your honnors are pleased so farr to exercise your thoughts about the promotion of the welfare of his Majesties subjects in this his colony, as to vouchsafe us so favorable a tender to be solicitous in our behalf to his Majesty our gracious Sovreigne, in any particulars wherein we may be advantaged, we crave your honnors assistance as followeth.

1. That his Majestie would be graciously pleased to silence the claim of Duke Hamilton, if any be by him pretended or presented, to any tract of land lying or being within the precincts of our charter, (renewed and established to us by our Royall Sovreigne,) and possessed and improved by severall poor people, whose progress in ther labours and endeavors for their subsistence (at the best very meane) will be impeded and obstructed through fear of the event of such claimes.

2. Whereas this colony is at a very low ebb in respect to traffick, and although out of a respect to our relation to the English nation, and that we might be accounted a people under the Sovreignty and protection of his Majestie the King of England, we presumed to put the name or appellation of New London, upon one of our towns, which nature hath furnished with a safe and commodious harbour, though but a poor people, and discapacitated in several respects to promote traffique; we humbly crave of our gracious Sovreigne, that he would be pleased out of his Princely bounty, to grant it to be a place of free trade for 7, 10, or 12 years, as his Royall heart shall encline to conferr, as a boon upon his poor yett loyall subjects.

3. We request of your honnors,—1. that you will please to represent unto his Majesty, our allegiance, with our ready acknowledgement of his princely grace, in the late renewall of our charter,—2. his more abundant grace in re-ratifying our priviledges, both civill and ecclesiastick, in his late gracious letter, sent to us by your honnors,—3. our ready compliance with his Majesties Royall will and pleasure therein expressed,—4. our christian moderation to men of different perswasions,—

5. we humbly implore the continuation of the shines of his Royall favour upon our mean beginnings, that so we may flourish under the benigne aspect of our Lord the King.

Propositions made to the Governor and General Court of Connecticut, by his Majesties Commissioners.

We were commanded principally to recommend these things to you from his Majesty.

1. That all Householders inhabiting this colony to take the oath of allegiance, and that the administration of Justice be in his Majesty's name.

2. That all men of competent estates, and of civell conversation, (though of different judgment,) may be admitted to be freemen, and have liberty to chuse, or be chosen officers, both Military and civill.

3. That all persons of civill lives, may freely enjoy the liberty of their consciences, and the worship of God in that way which they thinke best; provided that this liberty tend not to the disturbance of the public, nor to the hindrance of the maintenance of ministers regularly chosen, in each respective parish, or township.

4. That all lawes and expressions in lawes, derogatory to his Majesty, if any such have been

made, in these late troublesome times may be repealed, altered and taken off the fyfe.

ROBERT CARR,
GEORGE CARTWRIGHT,
SAMUEL MAVERICK.

April 20th, 1665.

Answers to the foregoing propositions, by the Governor and General Assembly of the Colony of Connecticut.

In answer to the foure propositions, directed by your honors to this Generall Assembly, as his Ma'ties Royall will and pleasure we have here in the following lines sent a transcript of the Assemblies answer.

To the first proposal, that all householders inhabiting this colony take the oath of allegiance, and that the administration of justice be in his Ma'ties name, we returne,

That according to his Ma'ties pleasure exprest in o'r charter, o'r hono'ble Governor formerly hath nominated and appointed meet persons to administer the oath of allegiance, who have according to their order administered the said oath to several persons already; and the administration of justice hath been, is, and shall be in his Ma'ties name.

Secondly. That all men of competent estates and of civill conversation, though of different judgments, may be admitted to be freemen, and have liberty to chuse and to be chosen officers, both military and civill.

Ans. Our order for admission of Freemen, is consonant with that proposition.

Thirdly. That all persons of civil lives, may freely enjoy the liberty of their consciences, and the worship of God, in that way w^{ch} they think best; provided that this liberty, tend not to the disturbance of the publike, nor ye hindrance of the maintenance of ministers, regularly chosen in each respective parish or town.

Ans. Wee know not of any one that hathe been troubled by vs for attending his conscience, and it is our care, that ye ministers of the Gospel, employed in the Lords work, be duly mainteyned.

Ffourth. That all lawes, and expressions in lawes, derogatory to his Ma^{tie}, if any such have bene, in these late troublesome times, may be repealed, altered, and taken of the ffle.

We returne, we know not of any law or expressions in any law that is derogatory to his M^{tie}, amongst vs; but if any such be found, we count it our duty to repeale, alter it, and take it of the ffle, and this we attended, upon the receipt of our Charter.

A Letter from his Majesty Charles 2d, to the Governor and Council of the Colony of Connecticut, expressing his Majesties satisfaction of their kind reception of his Commissioners by the Governor, &c.

CHARLES R.

Trusty and well beloved we greet you well, haveing rece'd soe full and satisfactory an account from our commissioners, both of the good reception you have given them, and also of your dutifullness and obedience to us, wee cannot but let you know how much wee are pleased therewith, judging that respect of yours towards our officers to be the true and naturall fruit which demonstrates what fidelity and affection towards us is rooted in your hearts, and although your carriage doth of itselfe most justly deserve our prayse and approbation, yet it seems to be sett off with the more lustre by the contrary deportment of the Colony of the Massachusetts, as if by their refractorinesse, they had designed to recommend and heighten the meritt of your compliance with our directions for the peaceable and good government of our subjects in those parts, you may therefore assure yourselves, that wee never shall be unmindful of this your loyall and dutifull behaviour, but shall on all occasions take notice of it to your advantage, promiseing you our constant protection and Royall favour, in all things that may concerne your safety, peace and wellfare ; and so wee bid you farewell.

Given at our Court at White Hall, the 10th day of Aprill, 1666, in the eighteenth yeare of our Reigne.

By his Majesties command,

WILL MORICE.

To our Trusty and well beloved, the Governour and Councill of our Colony of Connecticutt, in New England.

A Letter from his Majesty Charles 2d, recommending a vigorous prosecution of the war with the French and Dutch.

CHARLES R.

Trusty and well beloved wee greet you well ; by our letter of the 22d of February last, wee gave you notice how that the French King haveing declared warre against us and our subjects, wee have been obliged, in our just defence to issue out our declaration likewise, a copy of which was therewith sent you, whereby wee did resolve to the utmost of our power to oppose him the sayd French King, in this warre, so unjustly begunn upon us, thereby willing and requireing you, as wee had likewise done the rest of our Islands, Colonies and plantations in the West Indies, after a fitt publication of our sayd declaration, forthwith to apply yourselves by all wayes and means to annoy, infest, dammage and destroye the French as well as Dutch, in those parts, and such of their Colonies and plantations as lye neare you, to re-

duce by the most speedy and effectuall wayes you could to our obedience, and more especially, that of the French in Canada, in all which wee enjoyned our Colony of the Massachusetts to joyne and correspond with you, wee doubt not but you have accordingly taken care for, and that in due time we shall receive a good accompt of your diligence and circumspection therein. However, wee have thought not amisse, out of the perticular care wee have for the security and preservation of those our Colonies and plantations, hereby to quicken you in the sudden execution of what you shall finde fitt to resolve in that matter, that soe the enemy takeing advantage of your remissnesse and delayes, may not prevent you in the oppertunities you may have upon them, as wee have reason to believe by all meanes they will indeavour to doe; and considering the more imediate dangers to which the Barbadoes and other the Caribee Islands are exposed from the French, and that wee cannot as yet finde fitt to spare them those supplies from hence, that are necessary, the maine issue of the warre, being in the first place to be provided for, by a vigorous pursuit of those advantages it hath pleased God to give us against the body of our enemies strength neare home, wee cannot but in tendernesse to the safety of those our islands and plantations very effectually recommend it forthwith upon receipt hereof to consider with your neighbour Colony Massachusetts, to whome wee have likewise written, on this occasion of som fitt number of forces, such as you can best spare, to bee speedily sent to the reliefe and defence of the sayd Caribee Islands, under such able and discreet commanders as you shall finde fitt to choose, which as it will bee seasonable argument of your care and concernment for your

fellow subjects in those islands, soe shall we consider it as a singular expression of your good affection and loyalty to us, and shall not forget to owne it to you for such hereafter as there shall be occasion—and soe wee bid you farewell.

Given at our Court at White Hall, the 28th day of August, 1666.

By his Ma'ties command,

ARLINGTON.

To our Trusty and well beloved, our Governour and Council of our Colony of Connecticutt, in New England.

A Letter from his Majesty Charles 2d, to the Governor and Council of Massachusetts, communicating intelligence of the Declaration of War against the States General of the United Provinces: to be communicated to the other Colonies.

CHARLES R.

Trusty and well beloved, we greet you well, having found our self obliged for the just vindication of the antient and undoubted rights of our Crown, and for reparation as well of the many affronts and indignities don to our Royal person and dignity, as of the frequent wrongs and injuries don to our subjects, by the States Generall of the United Provinces, to declare warr against them, wee have thought good hereby to give you knowledge thereof, willing you forthwith, upon re-

csipt hereof, in the usuall manner to cause the said warr to be proclaimed, within that our Colony, according to our declaration, (copies of which wee have directed to be herewith sent you,) and that at the same time, you cause seizure to be made of all shippes, goods and merchandizes, belonging to the said States Generall, or their subjects: And because we have reason to believe from the constant evill minde, they have been always known to bear to our forreign Colonies and plantations, and haveing likewise understood that a considerable number of private men of warr are now preparing in Holland and Zeeland, to be forthwith sent into the West Indias, to infest and annoy our plantations there, wee have thought fitt, out of our princely care and regard to the safety of those remote parts of our dominions, and for the securing our good subjects inhabiting there, or trading thither, to recommend it to you, as wee do by these very particularly, forthwith to apply yourselves joyntly to consider of the condition thereof, and by all the speediest, and most effectuall means you can, early to provide for its safety and defence, and for the protection and security of such shippes and vessells, as shall be from time to time rideing in the roads and harbours there, from the assaults and attempts of the Dutch, and particularly, wee think fitt for to repeat our former orders to you, that all such shippes, which shall come thence, be enjoyned to sail in considerable numbers for their common security, and that then, and ever dureing their stay there, it will be fitt some of the most experienced officers have authority given them to command the rest; wee have thought fitt hereby to authorize and impower you to do therein, what according to this or any other emergencies shall appear to you to bee most for

the safety of our Colony, and navigation of our merchants, and further, that in all other matters relating to the jurisdiction of our most dear brother the Duke of York, our high Admirall &c., you observe such orders and directions, as you shall from time to time receive from him, whom wee have commissioned to grant Letters of Marque, and generall reprisals against the shippes, goods and subjects of the States of the United Provinces, conformable to which our will and pleasure is, that you take and seize the shippes, vessells and goods, belonging to the said States, or any their subjects or inhabitants within any their territories, and to bring the same to judgement and condemnation according to the course of admiralty and laws of nations, and these our Letters that you communicate to the rest of our Colonies your neighbours; our pleasure being, that with all care, and application possible, they arm themselves against the dangers which threaten them in this conjuncture from such an enemy, and proceed according to these our directions, and such as they shall receive from our said dear brother, assuring them and all loveing subjects in those parts, that we shall not be wanting on our part, on all occasions to help and succour them, to the utmost of our power, and to contribute all possible means for the security and improvement of the trade and commerce. And so we bid you farewell.

Given at our Court at White Hall, the third day of Aprill, in the twenty-fourth year of our Reigne.

By his Majesties command,

HILINGTON.

These for our trusty and well beloved, the Governour and Councill, for our Colony of the Massachusetts; to be communicated to the other Colonies.

*Articles of Confederation between ye Plantations
under the Government of the Massachusetts, ye
Plantation under the Govr'ment of New Plim-
oth, and ye Plantations under the Government of
Connecticott.*

Whereas wee all came into these parts of America, with one and ye same end and aime, viz. to advance ye kingdome of our Lord Jesus Christ, and to enjoy ye liberties of ye Gospell in purity wth peace, and whereas in our settling by a wise Providence of God, wee are further dispersed upon ye sea costs and rivers yn was first intended, so yt wee cannot according to our desire wth convenience communicate in our government and jurisdiction; and whereas we are compassed with people of severall nations and strange languages, which here often may prove injurious to us and our posterity; and for so much as the natives have formerly comitted sundry insolences and outrages upon severall plantations of ye English, and have severall times combined themselves ag'st us, and seeing by reason of our distance from England (our dear native country,) wee are hindered both from that humble way of seeking advise and reaping those comfortable fruits of protection which wee might otherwise well expect. Wee therefore do account it our duty as well as safety, to enter into a confederation for mutuall help and succor in all our future concernments, that as in nation and religion, so in other respects wee bee and continue one according to ye tenure and true meaning of ye ensueing articles.

1. Wherefore it is agreed and concluded by and between ye parties or jurisdictions above named, and they doe jointly and severally by these pres-

ents agree and conclude, that they all bee and henceforth be called by the name of the United Colonies of New England.

2. The said United Colonies for themselves and their posterities doe joyntly and severally hereby enter into a firme and perpetuall league of friendship and amity, mutuall advise and succor upon all just occasions, both for preserving and propagating the truth and liberties of the Gospell, and for their own mutuall safety and wellfare ; provided notwithstanding, that the power of determination of an offensive warr properly so called (so as to engage the Colonies therein) shall be in the severall Generall Courts of the aforementioned confederation.

3. It is agreed if the plantations which at present are or hereafter shall be settled within ye limits of ye Massachusetts, shall be forever under ye Government of ye Massachusetts, and have peculiar jurisdiction among themselves as an entire body, and yt Plimoth and Connecticott each of them in all respects have the like peculiar jurisdiction and government within their limits, according to their respective Letters Pattents from his Ma'tie provided if no other jurisdiction shall hereafter be taken in as a distinct head or member of the confederation, nor shall any other plantation or jurisdiction in present being, and not already in combination or under ye jurisdiction of any of those confederates joyned in one jurisdiction without ye consent of ye severall General Courts of the above named confederates.

4. It is also agreed yt for the manageing and concluding of all affaires proper to, and concerning ye whole confederation, (not excepted ag'st in these articles) two comisioners shall be chosen by and out of each of these three jurisdictions, viz.

two for ye Massachusetts, two for Plimoth, and two for Connecticott, being all in church fellowship with us who shall bring full power from their Generall Courts to heare, examine and weigh and determine the same; but if those six comissioners when mett shall not all agree, yt is concluded that any five of ye six agreeing shall have power to determine ye case in controversy; but if five doe not agree, that then such propositions with their reasons so far as they have been debated, be sent and reserved to ye severall Generall Courts, and if by all ye said Courts there be a concurrence in the matter so referred, then to be accordingly prosecuted by all ye confederates, and all their members.

5. It is further agreed that the comissioners for ye United Colonies shall meete but once in three years, except in cases extraordinary, which meetings shall ever be on ye first Thirsday in September, and yt ye next meeting after the date of these presents, shall be at Plimouth which shall be accounted the first meeting, the second at Boston, ye third at Hartford, ye fourth at Boston, ye fifth at Hartford, and so the meeting will be but once in fifteen years at Plimouth, and double so often in the other Colonies, if the mean time some middle place be not found out and agreed on which may be comodious for all.

6. It is further agreed, that at each meeting of these six comissioners, whether ordinary or extraordinary, they may chuse their President out of themselves, whose office and work shall be to take care and direct for order and comely carrying of all proceedings in the present meeting, but he shall be invested with no such power, by which he may hind'r the propounding or progresse of any busi-

ness, or any wise cast the scales otherwise then in the present articles is agreed.

7. It is also agreed yt the comissioners for this confederation hereafter at their meetings, whether ordinary or extraordinary, as they may have comission or opportunity, may consult off and propose to the severall Generall Courts to be by them allowed, and established, such orders in generall cases of a civill nature wherein all the plantations are interested, for preserving peace among themselves, and preventing, (as much as may be) all occasions of warr and differences with others, as about the free and speedy passage of justice in each jurisdiction, to all the confederates equally, as to their own, receiving those that remove from one plantation to another, how all the jurisdictions may carry it towards the Indians that they neither grow insolent, nor be injured without due satisfaction, lest warr break in upon the confederates through such miscarriage: It is also agreed, that if any servant run away from his master into any other of these confederated jurisdictions, that in such case upon ye certificate of one Magistrate in the jurisdiction out of which ye said servant fled, or upon other due prooffe, the said servant shall be delivered either to his master or any other that pursues and brings such certificate or prooffe; and yt upon the escape of any prisoner whatsoever, or fugitive, for any criminall case, whether breaking prison or getting from ye officer, or otherwise escaping, upon ye certificate of one Magistrate of ye jurisdiction out of w'ch the escape is made, that he was a prisoner or such an offender at the time of ye escape, the Magistrates or some of them of yt jurisdiction where for ye present the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear, for the

apprehending any such person, and the delivering of him or her into ye hand of ye pursuer, and if help be required, it shall be granted, he paying charges yr of.

8. It is further agreed, that for the disposing of the Indian stock for the future, the chiefe of the comissioners in the severall Colonies being annually as formerly, the comissioners of ye Massachusetts with such others shal be present, or any three of the comissioners yearly at Boston or elsewhere as they shall agree, and at the usuall time, they may doe any act for the managing and ordering of yt affaire as though all the comissioners were present, and what they shall doe herein, they shall keep a true record thereof, and transmitt the account of ye same from time to time, to the triennial meeting of ye comissioners.

9. It is also by these confederates agreed, that the charge of all just warrs, whether offensive or defensive, upon what part or member of this confederation soever they fall, shall both in men, provisions and all other disbursments, be borne by all the partys of the confederation, in different proportions, according to their different abilities, that the rule for proportioning men and raising of moneys for the defraying of such charges as may from time to time arise upon any warr, defensive or offensive, begun and carryed on according to the articles of confederation, shall as followeth:—The Massachusetts one hundred, Plymouth thirty, Connecticut sixty, this rule to continue for fiveteen years next coming; after ye begining of ye meeting of the comissioners, to be held at Plimouth in September next; and then if any one or more of ye confederates shall apprehend ye above said proportion to be unequall, ye matter shal be again considered by ye comissioners, and w't they shall

agree upon, shall be presented to the severall Generall Courts for their acceptance and confirmation, (each jurisdiction or plantation being left to their own just course and custome of rateing themselves and people,) and that accr. to ye different charge of each jurisdiction and plantation ye whole advantage of the warr, (if it please God to bless their endeavours,) whether it be in lands, goods, or persons, shall be proportionally divided among the said confederates.

10. It is further agreed, yt if any of these jurisdictions, or any plantation under them be invaded by any enemy whomsoever, upon any notice or request of any three Magistrates of yt jurisdiction so invaded, ye rest of ye confederates without any further meetin or expostulation, shall forthwith send aide to the confederate in danger; but in different proportions, viz: ye Massachusetts one hundred men sufficiently armed and provided for such a service and expedition; Plimouth thirty men so armed and provided; and Connecticott sixty men so armed and provided, or any lesse number, if lesse be required, accr. to this proportion: but if such confederate in danger may be supplied by the next confederate, not exceeding ye number hereby agreed, they may crave help there, and seek no further for the present, the charge to be borne by the severall Colonies, accr. to their proportions abovesaid; and at their returne to be victualled and supplied wth powder and shott (if there be need) for their journey yt jurisdiction yt employed or sent for them, but in any such case of sending men for present aide whether before or after such order or alteration, it is agreed yt at ye meeting of ye comissioners for this consideration, ye cause of such warr or invasion be duly considered, and if it appear yt ye

fault lay in ye party so invaded, yt then yt jurisdiction or plantation make just satisfaction both to ye invaders whome they have injured, and beare all ye charges of the warr themselves, without requiring any allowance from ye rest of the confederates towards the same.

11. And for yt ye justest war may be of dangerous consequence, especially to the smaller plantations in these United Colonies: it is agreed yt nether ye Massachusets, Plimouth, nor Connecticut, nor any of ye members of any of them, shall at any tyme hereafter begin, undertake or ingage themselves, or this confederation in any war w'soever (suddain exigencies w'th the necessary consequences thereof excepted, which are also to be moderated as much as the case will permitt,) without ye consent of ye severall Generall Courts of ye United Colonies.

12. It is also agreed, yt in case of any suddain exigences, or other weighty occasion, requiring ye meeting of the comissioners before the ordinary tyme, the Governor or any three Magistrates of any the confederate jurisdictions, may sumon a meeting of ye comissioners, briefly signifying ye occasion thereof, and ye time and place of ye meeting, which shall be accordingly attended by ye comissioners of all ye confederate jurisdiction; and when met, they may adjourne to any other tyme or place as they shall see meet.

13. It is also agreed, for ye settling of vagabonds and wandering persons, removing from one Colony to another, to ye dissatisfaction and burthen of the places, where they come, as dayly experience sheweth us; for ye future it is ordered, yt where any person or persons shal be found in any jurisdiction to have had there abode for more yn three months, and not warned out by ye

authority of ye place, and in case of ye neglect of any person so warned, as above'sd to depart, if he be not by ye first opportunity yt the season will permitt, sent away from constable to constable, to ye end he may be returned to ye place of his former abode ; every such person or persons, shall be accounted an inhabitant where they are so found, and by them governed and provided for, as their condition may require ; and in all such cases the charges of the constables to be borne by the Treasurer, where such constables do dwell.

14. It is agreed, yt if any of ye constables shall hereafter break any of these present articles, or be any other way injurious to any of ye confederate jurisdictions, such breach of agreement or injury, shall be duly considered ordered by ye commissioners for ye other jurisdictions, yt both peace and this present confederation may be preserved wth'out violation.

15. Ffinally, whereas in ye former articles agreed upon May 29, 1643, for the confederation of the United Colonies above named, New Haven is therein mentioned, and was owned as a distinct confederate, and is by these included and considered as one with Connecticott ; ye above'sd union shall be always interpreted as by their own concession and not otherwise.

Now whereas for many years past, upon divers good considerations, there was a confederation agreed upon, by ye antient English Colonies, under his Ma'ties authority in New England for mutuall help, and defence, as also for ye better mainteyning his Ma'ties interest ag'st any opposition or intrusion of the barbarous natives and others, as appeareth by articles that were agreed upon, in ye year 1643, and upon record to be seen ; whereby ye said Colonyes have been so united, as hath

proved very beneficiall to all his Majesties subjects in these parts, for their peace and security ; and whereas the severall Generall Courts of ye said Colonyes, have seen cause to renew the said confederation with some necessary alterations and addition to ye s'd articles, as is more fully exprest in ye articles above written : and also whereas ye Generall Court for ye Massachusetts Colony by their comission, dated in Boston Aug'st 30, 1672, have nominated Thomas Danforth Esqr., and Majr. William Hathorne Esqr. their comissioners, investing them with full power and authority to signe, ratifie and confirme ye above recited articles of confederation ; and in like manner ye Generall Court held at Plimouth June 5, 1672, have nominated Thomas Prence Esqr., and Majr. Josiah Winslow Esqr., investing them with like power, and ye Generall Court of Connecticott Colony, held at Hartford, May 9, and June 28, 1672, have in like manner nominated John Winthrop Esqr., and James Richards Esqr., investing them with like power, the above'sd comissioners being assembled at Plimouth, Sept. 5, 1672, have read and examined these above written articles ; doe accr. to their s'd comission, and by virtue thereof, clearly and absolutely ratifie and confirme the same for the re-establishing of a perpetuall confederation between the above named Colonyes, as was ye declared intention of the former articles : in confirmation whereof the comissioners above named, by the authority granted them from their severall Generall Courts, and in their

name and stead, have hereunto subscribed their hands, in Plimouth.

THOMAS DANFORTH,
WM. HATHORNE,
THO. PRENCE,
JOSIAH WINSLOW,
JOHN WINTHROP,
JAMES RICHARDS.

September 5, 1672.

A general Court held at Hartford, October 8, 1674.

This Court being made sensible of the great damage that might accrue to the publike, by a liberty or boldness which some persons may take to themselves (when employed by order of authority for the conveyance of letters, post and other important occasions of this colony) by profuse and extravagant spending at the ordinaries and other places on the road upon the countreyes account, and also by great delays on journeys, very prejudiciall to the colony, which willing to prevent, doe therefore order that the allowance for those persons (who shall be employed on such services) for their wages and expences of themselves and horses, shall be as followeth, from the first of May to the middle of October:—

From Rye to Hartford, the horse hyer twelve shillings, the man and expences, twenty, all, is one pownd twelve shillings.

From Greenwich to Hartford, the horse hyer ten shillings sixpence, the man and expences sev-

enteen shillings, all, one pound seven shillings and sixpence.

From Standford to Hartford, the horse hyer ten shillings, the man and expences, sixteen shillings, all, is one pownd seven shillings.

From Norwalk to Hartford, the horse hyer nine shillings, the man and expences fifteen, all, is one pownd fower shillings.

From Fayrefield to Hartford, the horse hyer eight shillings, the man and expences, thirteen shillings sixpence, all, is one pownd one shilling and sixpence.

From Stratford to Hartford, the horse hyer seven shillings, the man and expences twelve shillings, al, is nineteen shillings.

From Milford to Hartford, horse hyer six shillings, the man and expences, ten shillings, all, is sixteen shillings.

From New Haven to Hartford, the horse hyer five shillings, the man and expences eight shillings sixpence, all, is thirteen shillings sixpence.

From Wallingford to Hartford, the horse hyer fower shillings, the man and expences six shillings, all, is ten shillings.

From Branford to Hartford, the horse hyer five shillings, the man and expences, eight shillings, all, is thirteen shillings.

From Guilford to Hartford, the horse hyer five shillings, the man and expences eight shillings, all, is thirteen shillings.

From Kenilworth to Hartford, the horse hyer five shillings, the man and expences eight shillings sixpence, all, is thirteen and sixpence.

From Saybrook to Hartford, the horse hyer five shillings, the man and expences eight shillings sixpence, all, is thirteen shillings and sixpence.

From Lyme to Hartford, the horse hyer five

shillings, the man and expences eight shillings sixpence, all, is thirteen shillings sixpence.

From New London to Hartford, the horse hyer eight shillings, the man and expences eleven shillings, all, is nineteen shillings.

From Stoneington to Hartford, the horse hyer nine shillings, the man and expences thirteen shillings sixpence, all, is one pownd two shillings sixpence.

From Norwich to Hartford, the horse hyer six shillings, the man and expences eight shillings, all, is fourteen shillings.

From Haddum to Hartford, the horse hyer fower shillings, the man and expences six shillings, all, is ten shillings.

From Middletown to Hartford, the horse hyer two shillings, the man and expences fower and sixpence, all, is six shillings sixpence.

From Wethersfield to Hartford, the horse hyer sixpence, the man and expences one shilling, all, is one shilling sixpence.

From Windsor to Hartford, the horse hyer one shilling, the man and expences one shilling sixpence, all, is two shillings sixpence.

From Farmington to Hartford, the horse hyer one shilling sixpence, the man and expences two shillings sixpence, all, is fower shillings.

From Simsbury to Hartford, the horse hyer one shilling sixpence, the man and expences two shillings sixpence, all, is fower shillings.

From Windsor to Springfield, the horse hyer three shillings, the man and expences fower shillings sixpence, all, is seven shillings sixpence.

And from the middle of October to the last of April, to be eight pence more than the above for every night they lye out, for oates to the horses, wherein great care is to be had by the ordinary

keepers, that hyered horses are not deprived of their allowance.

Alsoe the difference in the above said sumes, is to be the stated wages from towne to towne, if they goe not to Hartford, and the like proportion by the mile, to those whoe shall be imployed in this colony where their wages is not stated.

It is further ordered, that all Posts, their Ferridg shall be on the country account, and that the ordinary keepers in the plantations shall provide suitable accommodations for men and horses, whose allowance for the men by the meale, shall be six-pence, and for the horse at grass, fower pence a night, and oates, fower pence the half peck, and for hay the night, fower pence.

It is alsoe ordered, that whosoever upon these tearms shall unnecessarily stop, or detayne his journey, forth or back, or shall be necessarily stopped or detayned by authority or other just occasion, such person or persons shall have penalty, or receive recompence extraordinarily, as the authority who sent them shall judg right to be abated or augmented in his wages.

*At a session of the Gen'll Court, held at Hartford,
by the Governors specia'll order, August 7,
1673.*

Whereas, there is at present a great appearance of danger towards this colony, by the approach of the Dutch, for our own safety and defence, till the Gen'll Court in October next, it is now ordered by this Court that the Committee hereafter named,

viz:—the Governor and assistants, Capt. Benj. Newbery, Mr. Giles Hamlin, Mr. William Wadsworth, Capt. Wm. Curtice, Lieut. Wm. Fowler, Lieut. Tho. Munson, are hereby empowered to act as the Grand Committee of this colony, in establishing and commissionating of military officers, in pressing of men, horses, ships, barques or other vessells, armes, ammunition, provision, carriages or whatever they judg needful for o'r defence, and to manage, order, and dispose of the militia of the colony in the best way and maner they can for o'r safety. The Governor, or in his absence, the Dept. Governor are hereby impowered by their sumons to convene the said Committee, who being assembled, the said Committee, or the major part of them assembled, are informed as afoarsayd. It is ordered by this Court, that the severall and respective troops in this colony, with five hundred dragoones be prepared and fitted for service forthwith, and that all the traine bands in the severall plantations, with their arms and ammunition be ready for service, and the military officers of the severall companies, to see their companies completed as afoarsayd, upon the severall penalties exprest in the military lawes, the dragoones are to be rayased upon the countys as followeth: of Hartford county, one hundred and sixty; of New Haven county, one hundred and twenty; of Fayrefield, one hundred and twenty; of New London, one hundred.

It is allso ordered by this Court, that in case of the approach of an enemy in any towne within this colony, the Governer or Dept. Governer and Grand Committee, appoynted by the Court, so many of them as are present, before they departe, shall appoynt such sufficient ayde, to defend any place as shall be assaulted, with such ayde as they

thinke fitt, which is to be in readiness at an howers warning, for a march upon the call of the chief officer of any county.

In case any forces should be sent out of the county of Hartford for the relief of another county, this Court appoynts Benjamin Newbery, Capt. ; Nicholas Olmstead, Lvt. ; John Wadsworth, Ensigne.

For the county of New London and such forces as shall be called out of that county, James Avery is appointed Capt. ; Tho. Tracy, Livetenant ; John Denison, Ensigne.

For the county of New Haven, Mr. Robert Treat, Capt. ; Tho. Munson, Livetenant ; Sam'll Newton, Ensigne.

For the county of Fayrefield, Mr. Tho. Fitch, Capt. ; Jehue Burr, Livetenant ; Mathew Sherwood, Ensigne.

Capt. John Tallcott is chosen Major for the county of Hartford.

Capt. Robert Treat is chosen Major for the county of New Haven.

Capt. Nathan Gold is chosen Major for the county of Fayrefield.

This Court appoynted Mr. James Richards and Mr. Roswell, forthwith to goe to New York with the letter which this Court hath prepared, and present the same to the Commander-in-chief of the Manhatoes, and to receive their answer, and what their intentions are : and in case Mr. Roswell should by any providence be hindered attendance, Major Robert Treat is to supply the place of Mr. Roswell.

The letter read in Court, drawn up to be sent to the Commander-in-chief of the Dutch fleet, rideing in Hudsons river, at New Yorke, this Court orders that it be signed by the Secretary, in the

name and by order of the Governor and Gen'll Assembly.*

The Grand Committee for the ordering of the Militia, mett at Hartford, August 11, 1673.

JOHN WINTHROP, Esqr. Govr.	}	Grand Committee.
WM. LEET, Esqr. Dept. Govr.		
MR. SAM'LL WILLYS,		
Major JOHN TALLCOTT,		
MR. HENRY WOLCOTT,		
MR. JOHN ALLYN,		
MR. WM. WADSWORTH,		
Capt. BENJ. NEWBERY,		
Capt. THO. MUNSON.		

Whereas, the Gen'll Court hath ordered that five hundred Dragoones be forthwith rayased, to be ready upon one howers warning to defend any place in this colony, assaulted by an enemie, and have ordered that the forces rayased, shall be under such comandars as they have appoynted; the Grand Committee for the militia, being mett this day, ordered that the constables of the respective plantations, shall forthwith repayre to the cheife commander of their traine bands and choose so many meet persons as they are appoynted too,

*On the 30th of July, a small Dutch fleet, under the Command of Commodores Cornelius Evereste and Jacob Benkes, arrived at New York. One John Manning, who commanded the fort and Island there, treacherously delivered them up to the enemy without firing a gun, or attempting the least resistance.—*Trum. Hist. Con. Vol. I. p. 326.*

that they may be in readiness fitted according to this followeing order, upon an howers warning to march under the conduct of theire cheife commanders hereafter named, to defend any place assaulted as aforesayd.

The proportion of dragoones for Hartford county, is one hundred sixty three, under the command of Benj. Newbery, Capt.; Nicholas Olmstead, Lvt.; John Wadsworth, Ensigne:—Hartford, forty fower; Windsor, thirty eight; Wethersfield, thirty; Farmington, twenty two; Middletown, thirteen; Haddum, nine; Simsbury, seven; totall, 163.

The proportion of dragoones for New Haven county under the conduct of Major Robt. Treat, Thomas Munson, Lvt.; Sam'l Newton, Ensigne; is, New Haven, fifty one; Milford, thirty; Pawgaset, three; Guilford, nineteen; Brandford, nine; Wallingford, eight; totall, 120.

The proportion of Fayeresfield county, under the conduct of Tho. Fitch, Capt.; Jehu Burr, Lvt.; Mathew Sherwood, Ensigne; is, Fayrefield, thirty eight; Stratford, thirty three; Standford, twenty fower; Greenwich, eight; Norwalk, seventeen, Rye, being near is excused; totall, 120.

The proportion for New London county, under the conduct of James Avery, Captaine; Thomas Tracey, Leivtenant; John Denison, Ensigne; is, New London, twenty six; Stoneington, nineteen; Lyme, tenn; Saybrook, seventeen; Kenilworth, eleven; Norwich, seventeen; totall, 100.

It is ordered that each dragone be provided with a good sword and belt, and serviceable muskett or kirbine, with a shot powch and powder and bullitts, viz: one pownd of powder made into cartriges fitt for his gunn, and three pownd of

bulletts fitt for their gunns, or pistoll bulletts and a horss to expedite their march.

It is allso ordered, that the place assaulted, where the forces rayseed are sent for to come, are to provide quarter for the soldiers they send for.

It is also ordered, that the cheife officer in each county, upon any assault made upon them by an enemy, are hereby empowered to call in ayde from the rest of the counties for their assistance.

It is allso ordered, that the officers, rayseed in the counties of New Haven, Fayrefield and New London, doe prepare a halfe pike for each of their dragoones.

It is allso ordered, the commission officers of the dragoones in each county, are hereby empowered to appoynte Sarjants and inferior officers for their respective companies.

The Committee for the militia, doe hereby appoynt Mr. Simeon Woolcott and John Griffin, to be those that shall command the traine band of Simsbury for the present, and untill the Generall Court order otherwise; or the people there make there choyse.

It is allso ordered, that the clark of each county is appoynted to send coppies hereof, forthwith into each town within their respective counties.

It is allso agreed, that the Committee shall meet every day, about sunn two howers high, till farther order be given.

A General Court held at Hartford, Oct. 9, 1673.

A certificate from New Haven, Oct. 8, under the selectmens hands, certifying they were furnished with powder and bulletts according to lawe.

A certificate from Milford, dated October, 1673, signified their Townes being furnished with powder and bulletts according to law.

A certificate from Windsor, October 8, 1673, certified their stock of powder was 300 : bullett 700.

Copy of a Letter to the Commander of the Dutch Fleet at New York.

Hartford, August 7th, 1673.

SE—Although we have heard of yo'r actions at Yorke, yet because the chief trust of those parts did reside in other hands, from whom you have too sudainly supirzed it, we made it o'r business to attend what was devolved upon o'rselves that way nextly, yet we understanding you content not yo'rselves with what you have already taken, but demand submission of the people, his Majesty's subjects, seated on Long Island eastward beyond Oister Bay; and have seised a vessel of Mr. Sillicks, one of o'r people, near one of o'r Harbours; we have therefore sent Mr. James Richards, and Mr. William Roswell, to know your further intentions; and we must let you know yt we and o'r confederates, the United Colonies of New England, are by our Royall Sovereign, Charles the second, made keepers of his subjects liberties in these parts, and doe hope to acquit o'rselves in that trust, through the assistance of Almighty God, for the preservation of his Majesty's Colonies in New England—Which is all at the

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pr'sent repr'sented to you, from the Govern'r and
Gen'll Assembly of the Colony of Connecticutt.

Signed pr their order pr me,
JOHN ALLYN, *Secret'ry.*

For the Commander in Cheife of the Dutch
Fleet, rideing in Hudsons River at New Yorke.

*Reply of the Dutch Comodore to the foregoing
Letter.*

In Fort Will'm Hendrike, this 24 Aug't, Ano. 1673.

SE.—To answer yo'r letter of the 7th Aug't,
which was delivered unto us, we say, that we are
sent fourth by the high and mighty Lords, the
States Gen'll of the United Netherlands, and his
serene highnes the Lord Prince of Orrange, to doe
all manner of dammage unto the enemyes of the
said high and mighty Lords, both by water and by
land, from which cause we being come heere into
Hudsons River, have brought the land and Forts
within the same und'r o'r obedience, and in regard
the villages lying to the eastward of Oyster Bay
did belong to this Govem'nt, soe it is that to
prevent all inconveniencyes, we have cited the
same to give the oath of fidelity, in which if they
remain defective, we are resolved to force them
with the armes, likewise allso we shall not be
afraid to goe against those that shall seeke to
maintaine the said villages in their injustis: con-
serving the vessell that is taken by us close by yo'r
havens, their is no other consideration but that it

was taken from o'r enemyes; wherefore it appears very strange before us, that we should be objected against concerninge it; wee doe well believe that those that are set for keepers of his Majesty of Englands subjects will quitt themselves as they ought to doe for ye preservation of the Colonies in New England, however we shall not for that depart from o'r firme resolutions. We conceive we have heerwith answered yo'r letter—Thus don in the place as above.

By ord'r of the Comand'r and Counsell of Warr.
N. BAYARD, *Secretary.*

At a Court of Election held at Hartford May 13th, 1675.—This Court having considered Robin Cassacinamons petition, doe nominate, appoynte and impower the Dept. Governor Maj'r Talcott, and the rest of the assist's here to be a committee in the name of this Court, to draw up a commission for Robin and Herman Garrata for the governing of the Pequot Indians, and to appoynt them some under officers, and to give them some order w'th some penalties annexed for prevention of their haveing or worshipping any falls Gods, profanation of the Sabbath, for not attending the Lectures of Mr. Fitch amongst them according to his appoyntment, for theft and drunkenness &c., and to impower him in case of difficulty, to repayre to Mr. Thomas Stanton and Lieut. Avery for counsell, advice and assistance, as the difficulty shall require, and to order Robin some small allowance for his goverment to be rayased upon his people.

WHEREAS in answer to Robbin Casacinnamons petition presented to the Generall Court of Connecticut 13th last, an order and appoyntment was by the sayd Court made and recorded to desire and authorize the Dept. Governor, Maj'r John Talcott, with such other of the assistants as could attend, to draw up some lawes and orders for the present well governing of the Pequitt Indians, that were captives to the English Colonyes in generall, and were by their commissioners put under the Government of this Colony, to be both ruled and accomodated by them suitably, these ensueing orders and lawes, (were by those appoynted) made and sent unto them, viz :

1st. That for as much as the sayd Robbin Casacinnamun hath appeared to be faythfull in his trust under the com'rs, and hitherto under this Goverment : It is agayne ordered and appoynted that he be still continued in the place of Chiefe, Deputy or principle officer amongst and over all those Indians, who had beene put under him formerly, and that Daniel shall be his second or chiefe counsellor, to assist him in well governing of them.

In like maner shall Herman Garrata be principall officer over those so put under him, and Momohow shall be his second or chief counsellor, and their lawfull commands are duely to be obeyed and observed by all the Indians respectively.— And for their encouragement and support in their faythfull discharge of that duty and trust ; each Indian man, above sixteen years of age, shall yearly pay unto the principall officer to which he belongs the sum of five shillings in currant Indian pay ; but Daniel shall have a third part of Robbins rate, and Momohow, such part of Harmon Garrattas rate.

2. That there shall be two constables in each respective place or Township of Indians, where the principle officer dwells, and there to be the place of all the Indians settled residence and habitation, unless for some time about their necessary occasions for fishing, planting or hunting, they may be absent and remove their wigwams in the proper season for those occasions: and then return again to dwell in the Town to which they doe belong; such constables are to be chosen by the principall officer and his councill, (consisting of three or fowre of the most sober and discreet men of the Towne, chosen with the approbation of those appoynted by the Court to counsell them,) and being so chosen, a stafe shall be delivered to him as the signe of his office and power, and to give notice to the people to obey and assist him in the execution of his office, whose office it is to attend all the lawfull commands of their respective principalls in prosecution of justice against debtors or delinquents, by disorder or miscarriage, so allso he is to attend the commands or warrants from any of o'r English Magistrates; he is likewise required and impowered of himselfe to keep the peace and good order, and prevent the contrary in all cases and upon all occasions, so farr as it comes to his knowledge, or can find out.

Laws for the said Indians to observe.

1. That whosoever shall oppose or speake against the onely liveing and true God, the creator and ruler of all things, shall be brought to some English Court to be punished as the nature of the offence may require.

2. That whosoever shall powaw or use witch-

craft or any worship to the Devill, or any falls God, shall be so convicted and punished.

3. That whosoever shall profane the holy Sabbath day by servill work or play, such as chopping or fetching home of wood, fishing, fowling, hunting &c., shall pay as a fine tenn shillings, halfe to the cheife officers, and the other halfe to the constable and informer, or be sharply whipt for every such offence.

4. Whosoever shall committ murder or manslaughter, shall be brought to Hartford goale, and be tryed by the Government according to the English Law, which punisheth by death.

5. Whosoever shall committ adultery by lying with another mans wife, or to have or keep her from her husband, shall be imprisoned and tryed and punished with a fyne of forty shillings for every offence, and so in the case of the adultresse; the sayd fine to be distributed as before.

6. Whosoever shall steale, shall restore double to his neighbour for what he hath taken, when convict before their officer and councill, and pay the constable two shillins sixpence for his paynes about executing the law.

7. Whosoever shall appeare, and prove to be drunk amongst them, shall pay tenn shillings or be whipt as the officers shall see meete, and the fine divided as before in the law about Sabbath breaking; in like manner shall it be done to such Indians as doe bring the liquors or strong drinke amongst them.

8. It is ordered that a ready and comely attendance be given to heare the word of God preached by Mr. Fitch, or any other minister sent amongst them. The cheife officers and constables are to gather the people as they may, and if they be refractory and refuse, or doe misbehave

themselves undecently, such shall be punished with a fine of five shillings, or be corporally punished as the officers shall see most meet.

9. If the officers shall neglect in any of the premises to doe their duty, they shall receive double punishment, when convict thereof in any of our English Courts.

10. But whosoever shall either affront the principall officer, or refuse to assist the constable in the due execution of his office, shall pay for each affront so given, ten shillings, and for such refusall to assist the constable, five shillings.

Mr. Thomas Stanton Sen'r, and Lieutenant James Avery, were appoynted and desired to give them advice and help in all cases of difficulty, for the well management of their trust and affayres, to whome they are in all such cases to repayre.

WM. LEET, Dept. Governor,

SAMUEL WILLYS, Assist.

JOHN TALCOTT, Assist.

JOHN ALLYN, Assist.

JAMES RICHARDS, Assist.

Dated in Hartford, May 31, 1675.

To Hermon Garrata to cause to be published to the people of his plantation, and the rest under his Government.

The tenn articles were faythfully published to Robin Harmaysun, Monohor, the Naragansett Sunk Squaw* and her councill being present, at a great concourse amongst the Pequitts, the forepart

* A Queen or Lady of distinction.

which respects Robins own interest was served and desired by Robin not to be published as yet.

pr. JOHN STANTON.

Capt. Avery, and Lieutenant Minor being present as witnesseth their hands.

JAMES AVERY,
THO. MINOR.

The 24th January, 1675.*

A letter from his Majesty, Charles 2d, in relation to the case of William Harriss.

CHARLES R.

Trusty and well beloved, we greet you well:—
Whereas our subject, William Harriss, planter, in the colony of Rhoad Island, did by his humble Petition presented to us in councill, set forth, that he and twelve others his partners, near forty years since, purchased from certain Indians, a parcell of land, called Patuxett, and peaceably enjoyed the same for severall years, till they were disturbed by some of our English subjects of the town of Providence, but that the difference between them, being put to an award, the determination was given in favor of the Petitioners, and they accordingly remained in quiet possession, and held the same for several years, untill it happened that three of the said partners having a mind to breed disturbance, and pretending title to the land in virtue of another purchase, which they made from Indians who had more right, as they alledged,

*1676, according to the present mode of dating.

then the former, these men impleaded the petitioners in our Colony of the Massachusetts, but upon a fair tryall by jury, he had a verdict given in his favour, and did accordingly for some years after remain in quiet possession, that after this the said three persons being restless and of unquiett spirits did bring on fresh troubles to the petitioners on the same account, so the matter being put to an award, and arbitrators being equally chosen out of the Colony of the Massachusetts, and that of Rhode Island, for the greater solemnity of the determination, the petitioner and his partners did againe receive a sollemn award in their favour, and they did accordingly remain in quiet possession of the premises for above twenty years after, but about the year 1663, one John Hazzard and two others, who had fled from the Province of Connecticott, coming with pretence that they had made a purchase of the petitioners land, from som Indians who had right to sell, they entered on a great part of the petitioners lands by force, and the petitioner impleaded them at Law, and having obtained a verdict and judgement, it yett so happened by means of severall factions and parties which they have made to withstand justice, that they resisted ye execution of that judgement, and for pretences only, alledged that our commissioners being then there, did promise them to reheare all the matter in difference, when they returned into the said Colony, which our commissioners never did ; the petitioner hath also further sett forth, that besides all the said mollestations, he had been frequently disquieted, sometimes by the pretensions of the Towne of Warwick, sometimes by the Towne of Providence, in the Colony of Rhode Island, sometimes by two parties of men belonging to the Colony of the Massachusetts, and lastly

by a party of men belonging to the Colony of New Plimouth, all of them in severall times pretending purchases made from different Indians, who had right to sell, whereas the petitioners setts forth, that as he and his partners were the first purchasers and tooke care to derive their title from the chief Indians, who were then in actuall possession of the premises, so he remained quiett in his purchase, for about seven years after, till the improvements made by him and his partners on the premises, more than any foundation of right, tempted others to desire and invade their possession, upon all which representations of troubles, the petitioner having implored our Royall protection, and that we would order the Governours of each of those Colonies which are bounding with Rhoad Island, and whose inhabitants contribute to this disturbance to give their ayd and assistance towards the quietting of this matter, and that the Governours might in pursuance of our Royall orders, agree amongst themselves to depute some able, honest, and indifferent persons to hear all differencies, and to appoint a jury equally chosen out of the respective Colonies, in order to quiett them, in the possession of their said lands of Patuxitt, if in justice they appear to have right thereunto, and we having refered the examination of this matter to our committee of trade and plantations, and they after examination of the matter, having reported to us, that the petitioner and his partners are very fit objects of our Royall care and protection, wee are therefore in compassion to their long and many sufferings, graciously inclined to order them redress in the most speedy and effectuall way that can be proposed, and our will and pleasure is, and wee doe hereby command you the Governour of our Colony of Connecticott, to appoint som able,

honest and indifferent persons to joyn with such others as shall be appointed by the other respective Governours of our said Colonies to whome we shall also send our command in this behalfe, and that you give them full and sufficient authority to cause the differences and troubles arising to the petitioners and his partners concerning the land of Patuxitt to be brought to a fair tryall, and that by a just and indifferent and upright jury to be in like manner appointed, that all may be finally determined according to justice and without delay, and of your proceedings herein, to send us an account with all convenient speed, and so wee bid you farewell!—Given at our Court at Hampton, the 4th day of August, 1675, in the seven and twentieth year of our Reigne.

By his Majesties command,

J. WILLIAMSON.

To our trusty and well beloved, John Winthrop, Esqr., Governour of our Colony of Connecticott, and to our Governour or Governours there, for the time being.

A Letter from his Majesty Charles 2d, for the apprehension of Nathaniel Bacon, the instigator and head of a Rebellion in Virginia.

CHARLES R.

Trusty and well beloved, wee greet you well; wee doubt not but you have heard of the disorders in our Colony of Virginia, raised and contin-

The appointment of John Allyn and Edward Palmes Commissioners in the case of William Harriss.

I, William Leet Esqr., Governor of his Majesties Colony of Connecticott in New England, in obedience to, and observance of his Majesties commands, given at Hampton Court, the fourth day of August, the 27th year of his Majesties Reigne, 1675, do hereby constitute and appoint you, Capt. John Allyn and Major Edward Palmes, to be commissioners to joyn with such other gentlemen of the three Colonyes of Massachusetts, New Plimouth and Rhoad Island, as by their respective Governours shall be authorized and empowered by their commissions to joyn with you in obedience to, and observance of his Majesties commands; giving unto you hereby full and sufficient authority to meet with the said commissioners at Patuxitt or Providence, at or upon the 22d day of August next ensuing the date hereof, where being assembled from all the said four Colonys, you with them are to joyn in choosing a President from amonge the said Commissioners, and being so instated into order, you shall act in appointing such officers as may be meet for the keeping up the order authoritie of that his Majesties Court, and in impanelling a jury of twelve honest and indifferent men, out of the sixteen sent from the severall Coloneys, equally chosen and appointed for that worke, who being impanelled and sworn, you are then, as members of said Court, to hear all such pleas, allegations, proofs and evidences as shall be produced by William Harriss and his partners conveying the lands in said Patuxitt claimed by them, being as he saith

rightfully possessed of them, near forty years since, and quietly enjoyed till about the year 1663, and then disquieted by one John Hazzurd and others, claimers of said lands, whom you are to hear also, with their severall pleas, allegations, proofs and evidences, with all impartiality, that so there may be a determination of those differences according to justice, and that your proceedings therein may be the more effectually, you are hereby authorized jointly or severally to administer oaths, and to issue out summons to require persons to attend you as commissioned to the hearing of this case, and all his Majesties subjects are required to yield obedience therein, as they will answer the contrary, and you with the rest commissioned as aforesaid, being assembled together, have power to adjourn the Court from time to time, and place to place, as shall by the Court be judged most meet for a speedy and just determination of the case, and such determination being made, you are to render an account thereof, to me, that I may return the same to his Majestie, according to his command, with all convenient speed. In testimony whereof, I have hereunto affixed my hand and seal, in Hartford, on Connecticott, in New England, this sixteenth day of August, in the nine and twentieth year of his Majesties Reign, 1677.

A Letter from Charles 2d, concerning Lands in the Narraganset Country.

CHARLES R.

Trusty and well beloved, wee greet you well. Whereas in pursuance of an order of our privie Councill of the 4th of December last, directing our well beloved subjects, William Stoughton and Peter Bulkley, agents for the corporation of the Massachusetts Bay, in New England, to show by what authority or title Simon Bradstreet, Deputy Governour, and other inhabitants of that Colony, had by a printed paper called an advertisement, dated at Boston the 30th of July last, laid claim to the lands of Narragansett, and Niantic countreys called the Kings Province, they the said agents did declare, that the Government of the Massachusetts is not at all concerned in this claim, but only some inhabitants, who had purchased those lands from the Indian Sachems: and whereas our well beloved subjects, Randall Holden and John Green, Deputies of the town of Warwick, in the Colony of Rhoad Island, have certified our said Privy Councill, (of their certain knowledge as having inhabited that country for above forty years) that never any legall purchase had been made thereof from the Indians, by the Massachusetts or any others, and there being likewise produced an act of the voluntary submission of the chief Sachem and the rest of the Princes, with the whole people of the Narragansetts, unto the Government of our late Royall Father of blessed memory, together with two declarations made by our commissioners, on the 20th of March, 1664, and 8th of April, 1665, whereby it appears that they had then

received from some of the principall Sachems of the Narragansett Indians, a surrender of themselves, their subjects and their lands to our Government and dispose, not only by their personall acknowledgments and sending us presents, but by putting into the hands of our said commissioners the Deed aforementioned, of the 19th of April, 1644, and that as for the pretended purchases made by Major Atherton, and others of the Massachusetts Colony, our said commissioners did then declare the said purchases to be void, ordering the purchassers to leave the use and possession of those lands, and that the Magistrates of Rhoad Island exercise the authority of Justices of the Peace in the Narragansett country, by them called Kings Province, and doe whatever they should think fitt for the peace and safety thereof, untill our further pleasure should be known, we having taken the premises into our Royall consideration, have thought fitt hereby strictly to will and require you to take care that all things relating to the said Narragansett country, or the Kings Province, be left in the same condition as now they are, or have lately been in, as to the possession and government thereof, and absolute and immediate sovereignty, as well as the particular propriety of all that country, appearing by the surrender of the Sachims, to be vested in us, our further pleasure is, that you doe forthwith signifie to all persons within your government, who pretend any right or title to the soyle or government of the said lands, that they do with all speed, and by the first convenience, send over hither persons sufficiently impowered and instructed, to make their right and title appear to us, and that upon default thereof, we will proceed to give such order for the government and settlement of the said Province, as we shall judge

to be most consistent with justice, and the good of such of our subjects, who already do inhabit, or shall desire to make any further improvement within the said improvement. And whereas we have been also humbly informed by our well beloved subject John Crown Gent, that his Father William Crown, had sustained a great loss by our surrendring Nova Scotia unto the French, of part of which country he was proprietor, and therefore praying us to grant unto him the lands of Mount Hope, in New England, in compensation thereof, and we having referred the consideration of that his humble suit, to the Lords of the committee of our Privy Councill for foreign plantations, and having received their opinion upon that matter, that it operates to them that the said land did belong to Sachem Phillip, and his adherents, and was conquered by our subjects of New England in the late warr against the Indians, not without great charge and bloodshed; we have thought fitt hereby to signifie the same to you, together with our pleasure, that you forthwith certifie unto us, what right or title, any of our Colonies there, may pretend unto the said country, and also the true extent, value and propriety of the said lands of Mount Hope, with the grounds and evidences of their respective claimes, if any shall be made, that we may thereupon be enabled to give such further direction and order, as may suit with our Royall justice and bounty, and we cannot upon this occasion but take notice to you, that we have not hitherto received from you or any other of the said Colonies, the least intimation, much less account, of the conquest, claime, or disposall of the said country, not doubting but for the future, you will be more carefull to advertise us, or our Privy Councill of matters of this kinde, and which do

any way relate to prerogative and authority—and so we bid you farewell.

Given at our Court, at White Wall, the 12th day of February, 1678-9, in the one and thirtieth year of our Reigne.

By his Majesties command.

SUNDERLAND.

To our trusty and well beloved, the Governour and Majistrates of Connecticutt colony, in New England, now and for the time being.

A letter from the Lords of the Privy Council, concerning John Wampus, alias, White, an Indian.

After our hearty commendations,—Whereas, John Wampus, alias, White, has by Petition humbly represented unto his Majestie, that he is by marriage of Ann, the daughter of Romonock, late Sachim of Aspaluck and Sasquanaugh, upon the death of the said Sachim, become sole proprietor of those tracts of land, where the town of Fairfield, in the colony of Connecticott is built, that the petitioners said father-in-law, did, about nineteen years since, deliver up the possession of the said lands to the petitioner, who sometime after sold part thereof unto Captain Denison, Amos Richardson and others of Connecticutt colony, for the summ of three hundred and fifty pounds, or thereabouts; and that by the evill practices of Major Nathan Gould, and other inhabitants of Fairfield, he is not only kept out of his just rights,

but was also imprisoned by them, in May last, when he went to demand possession of his estate, withall complaining of the great hardships and miseries he and other native Indians are subject unto, by the laws of that colony. His Majesty takeing into his gracious consideration the miserable condition of the Petitioner, and declaring his Royall pleasure, that not only the Petitioner, but all such indians of New England, as are his subjects, and submitt peaceably and quietly to his Majesties government, shall likewise participate of his Royall protection; wee do by his Majesties express commands, signifie the same unto you, requiring you to doe the Petitioner such justice as his case may deserve, and for the future to proceed in such manner, as his Majesties subjects may not be forced to undertake so long and dangerous voyages for obtaining justice, which his Majestie expects shall be speedily and impartially administered unto them upon the place—and so not doubting of your ready compliance herein, we bid you heartily farewell.

From the Councill chamber in White Hall, the 28th day of March, 1679.

Your loving Friends.

CLARENDON,
AILESBURY,
JOHN NICHOLAS,
ANGLESEY,
J. BRIDGEWATER,
FANCOUBERY,
J. ERNLE.

To our loving friends, the Governour and Magistrates of his Majesties colony of Connecticott, in New England.

A letter from the Lords of the Council of Trade and Foreign Plantations, requiring information on various subjects.

After our very hearty commendations unto you, his Majestie having been graciously pleased to comitt to a select number of his Privy Councill, whereof wee are, the care and management of things relating to his foreign plantations, and it being necessary that all Governours and Commanders-in-chief do return us a frequent account of the state and condition of their respective governments, wee do now think fitt to reccommend unto you severall heads of inquiry, concerning his Majesties corporation of Connecticott, whereunto we expect your speedy and perticular answer; and that we may be able to carry on our observations and knowledge, and be still in a capacitie to give his Majestie a true representation off affairs and occurrences therein, wee pray and require you to transmit unto us, a clear and full account of the present state of the said colony, and so from time to time, of what shall happen in relation to his Majesties service, upon the distinct heads aforesaid, and generally of all things which you, in your discretion shall judge necessary for our full information, and for the better discharge of the trust reposed in us; and so not

doubting of your care in the performance hereof,
wee bid you heartily farewell.

From the Councill chamber at White Hall, this
first day of August, 1679.

Your very loving Friends,
HILINGTON,
WM. BLATHWAIT,
ESSEX,
FAUCONBERG,
H. COVENTRY,
J. ERNLE.

To the Governour of his Majesties corporation
of Connecticott, in New England.

*Meeting of the Commissioners of the United
Colonies.*

At a meeting of the Commissioners of the Uni-
ted Colonies in Boston, August 25, 1679.

RIGHT HON'BLE:—

In observance of o'r duty and allegiance to his
dread Ma'tie o'r Gracious Sovereigne, and obe-
dience to his commands, by his letters directed
severalty to the Governors of his Ma'ties United
Colonys in New England, given at his Royall
Court in White Hall, Feb'y 12, 1678-9, perceiving
by mutuall advice that his Ma'ties letters afore-
said, to each of these colonys, are of the same
importe containing like commands of an accot. of
the contents of the lands of Mount Hope and

Narriganset, &c. which in the late warrs with the barbarous natives, o'r neighbours were taken out of their hands, we crave leave to give your honor this followeing acco't as for the immediate and more apparent occasion of the sayd warr with the natives, the progresse and consequences thereof, the printed narrative which we herewith remit to your honor, although the labour of a private hand, yet for the substance thereof doth truly set forth the same, nevertheless we have, (as we apprehend) just ground not only to feare, but without breach of charity, to conclude that those malicious designess of the Jesuits, (those grand enemies to his Ma'ties crown, as well as to the Protestant religion by us possessed,) have had their influence in the contrivement thereof, and of the certainty hereof, we have been credibly informed by both Indians and English, at home and abroad.

And as for those lands of Mount Hope, although Philip, with the Indians over whom he was Sachem, possessed the same, yet they are not so properly to be called conquered lands, but such whose Indian clayme therein and title thereto is now forfeited into the hands of the English of said colony by his breach of covenant with them, and we thus apprehend for these reasons.

1. In that those lands are indubitably within the limits and bounds of his Ma'ties colony of New Plymouth contained within the express limits of his Royall Charter to them granted, and are within the bownds of an English town of that colony, planted by them nere forty yeares since, called Seaconck and Swansey.

2. Philip, Sachem and all those Indians under him were orderly subjects to his Ma'ties Government, there settled by authority of said Charter, as by sundry instruments under the hands and

seals of said Philip, and by his chief men, may fully be made to appear.

3. The necessity as well as justice of said war on the part of the English, for the preservation of the lives and estates of his Ma'ties good subjects there settled, the printed narative abovementioned, doth fully declare, and we have no reason to doubt will be to satisfaction.

As for the contents or value of said lands, called Mount Hope, they have formerly been estimated at seven thousand acres, but upon a late survey doe appeare to be of less quantity, and for value its advanced the more considerable by reason of its scituation near the sea, and so may be some accommodation to the colony for a place of trade, otherwise the improvement and benefit thereof, would be very inconsiderable ; and an invaluable sum towards New Plimouth parte of disbursments which in the whole hath been more then one hundred thousand pownds. As for that proposal made in behalf of Mr. William Crowne, we may truely inform your Honor, that neither his former losses which were rather imaginary then reall, nor his present demands seem such to us, as should highly deserve of his Ma'tie, being rather a burthen and disservice to such places where he hath been than otherwise, and peticularly to one of our plantations setled before the unhappy warr, where himself as well as others had good accommodations freely granted him, but very unhappy disquiets attended that plantation dureing his residence there.

As for those lands of Narragancet, they are included in his Ma'ties Charter granted to Connecticut, and so regularly under the Government thereof, and before the war began were peaceably settled with inhabitants in severale paarts thereof

in right of purchass from the indians, and were likely to have been a flouerishing plantation under the countenance of his Ma'ties government there settled by his Gracious Letters Pattents to that colony under the broad seal, and by his perticuler commands to other of the colonys, severally requiring their assistance of them, but since the war those parts are disturbed by sundry who doe intrude themselves upon them by countenance of the Government of Rhode Island as they alledg, and are an ungoverned people utterly incapable to advance his Ma'ties interest or the peace and happiness of their neighbours, as for the acts of his Ma'ties Commissioners 1664-5, we hope that none of their conclusions were intended to contradict his Ma'ties Charter, granted to his good subjects here, especially considering the absence of Coll. Niccols, when such conclusions were drawn up by others of them, without whose concurrence their acts as theire own Commission exhibited, declared to us were invalid, we humbly crave leave to propose that it will be most difficult, if not impossible for the several claymors of right in that country now resident in those colonys to defend theire interest in England before his Ma'tie and Honowrable Councill, the whole estate of many of them being not able to transport them over seas, or supply the management of an easy defence at such distance whence they must inevitably sink under the burthen of the loss of all, if his Ma'tie be not pleased in his Royall wisdom, to order some other expedient to an issue; the English of these colonys having by his Ma'ties good leave under security of his Letters Pattents removed themselves into this remoot wilderness neer fifty years now past, they have confidence that the malice of their adversaries by their pri-

vate insinuations and unjust reproaches shall not now prevayle to disturb them in their so orderly settlement.

We humbly offer to your Honours hands, these briefe intimations which we humbly intreat your Honours favour and candor so far to communicate and lay before his Majestie, as in your wisdom you may judge a service to his Ma'ties interest and benefit to his good subjects here, a more full and perticuler answer to his Ma'ties commands as the colonys may be severally concerned, we shall refer to their Gen'll Courts to present; Hon'ble Sir we take leave to subscribe o'r selves your most humble servants the Commissioners of the United colonys in New England, viz. the Mattachusetts, Plimouth and Conecticut, by the speciale order of their respective Governors and Councils of his Ma'ties colonys.

T. D.—J. D.—J. W.—T. H.—J. A.—J. R.

Boston, in New England,)

August 25, 1679. }

To the Right Hon'ble, the Earle of Sunderland, one of his Majesties principall Secret'rys of State, to be communicated to his Ma'tie, these humbly present.

In answer to his Ma'ties letter to the Governor and Magistrates of the severall colonys, a letter was drawn up and directed to the honourable the Earle of Sunderland one of his Ma'ties principle Secretarys of State to be communicated to his Ma'tie.

Allowed in money to Capt. John Hull, for cattle eaten by the confederate army in the Narragancett in proposition from the severall colonys, twenty five pownds.

To Capt. John Hull, and Wm. Crofts for ditto, in money twenty five pownds, from the severall colonys.

Appeared the Reverend Mr. John Eliott and made a motion refering to the re-printing the Bible.

Some demands of Mr. Smith and Mr. Sandford are refered to the next meeting of the Com'rs.

Agreed upon the day and yeare above written by the Commissioners of the United Colonys.

THO. DANFORTH, Press'd.

J. DUDLEY,

JOSIAH WINSLOW,

THO. HINCHEY,

JOHN ALLYN,

JAMES RICHARDS.

Copy of an Address to his Majesty Charles the 2d.

TO THE KINGS MOST EXCELLENT MAJESTIE.

The most humble addresse of his truely loyall subjects and supplyants the Governor and Generall Assembly of his Ma'ties Colony of Connecticut, in New England holden at Hartford, October 9, 1679.

DREAD SOVERAIGNE—

Such and soe great have been your Ma'ties princely favoure towards us, especially in the gracious charter that your Ma'tie (from your owne free motion and most ample grace) hath beene pleased to grant unto us, your poor yet loyall sub-

jects, in this your Colony, by which we are made very sencible of your Royall care concerning our Civill and Religious Liberties, as allso of the great and singular benefits that we have enjoyed by that eminent protection, all which hath greatly encouraged and strongly moved us in conscience of duty, humbly and heartily to offer up o'r most sincere acknowledgments of your Ma'tis great goodness towards us in those forementioned Charter Bownds and priviledgses, which hath been no small engagement and encouragement to us in the defence of those parts, neither can we choose but reflect upon ourselves that in so many Halcion dayes of great immunities under your Gracious shadow we have not with bended knees testified o'r utmost thankfullness for such Royall favoure, but such have been the overtures by the Death of o'r former Governour Winthrop and of late by the breaking forth of the war with the Barbarous heathen which hitherto retarded us but that we have now a hopefull issue through the help of Almighty God, and the benefit of your Royall countenance, for although as to o'r Estates we are much impoverish'd thereby, yet through Gods mercy, he hath given us o'r Enemy for a prey, whilst many of o'r neighbours round about us, have been made a desolation, and under God we must acknowledge o'r-selves Debtor to your Ma'tie the greatness of your name and power with the aspect thereof towards us, being a Terror to o'r heathen adversaries, yet these troubles have been some hindrance to that o'r duty of acknowledging o'r thankfulness, but now being by your Ma'ties Letters dated at White Hall Feb'y 12, 1678-9 commanded to appear before your Ma'tie by o'r agents to make good o'r claym to the soyle and Government of the Narragancett Country, what can we say before so Gra-

cious a King, but to beg that we may be admitted humbly to prostrate o'rselves at y'r Ma'ties feet with earnest beseeching your princely Grace in the full enjoyment of all the limits mentioned in o'r sayd Charter, and the priviledges thereof w'ch have by your Royall selfe been granted to us o'r Heirs and successors; and that o'r messenger Mr. Wm. Harris (who is impowered by us according to your Majesties order aforesaid,) may find favoure with your Ma'ties and who can informe fully the expences we have been at in the last Indian Warr, both as to money and loss of men as allso the advantages obtayned hath formerly been certified to the Right Hon'ble Earle Sunderland, by the Com'rs of Massachusetts, New Plimouth and this Colony from Boston, August last. Great's'r so great have been the assurances we have received of your princely favours to this your poore Colony, by your Gracious Letters, divers times sent us, that we cannot but be greatly encouraged to hope for a continuance of your Royall favoure unto us, and we shall as in duty we are bound apply o'rselves constantly to the Throne of Grace, for your Ma'ties long life and happy Reign over all your kingdoms and territoris to the honor of the great God and the good of his church.

So beging your Majesties pardon, we subscribe o'rselves your Ma'ties true and loyall subjects, the Gov'r and Generall Assembly of your Ma'ties Colony of Conecticut.

WM. LEET, Gov'r,
In their names and pr their order,
JOHN ALLYN, Sec'ry.

A Letter from his Majesty Charles 2d, relating to trade and navigation.

CHARLES R.

Trusty and well beloved, wee greet you well, whereas by an act of Parliament of this our Realme, made in the 25th year of our Reigne, certain rates, duties and impositions are imposed upon certain comodities of the groth, production and manufacture of our plantations in Asia, Africa or America, that shall be shipped or laden on board any shipp or vessell, for which bond shall not be first given to bring the same to our Kingdome of England, Dominion of Wales or Town of Berwick upon Tweed, which rates, duties and impositions are to be levyed and collected under such penalties, both to the officers and upon the goods, as for non payment of, or defrauding us of our customes in England; the collection whereof is by the said act to be ordered and managed by our commissioners of our customes in England, under the authority and direction of our Lord High Treasurer of England, or commissioners of our Treasury for the time being.

And whereas our commissioners of our customes, have in pursuance of such direction, appointed Edward Randolph Esqr., for collecting the said duties arising and growing due to us, by vertue of the said act, and have impowered him to make and depute such deputies or under officers as may be further necessary, wee will and require you that you give all due encouragement and assistance to the said Edward Randolph, in the execution of his duty and place, and to such persons as shall from time to time, be by him appointed to

the said offices, and that you do strictly command all other officers and persons whatsoever, civill or military, within your government to be aiding and assisting to them therein; you are moreover, to take effectuall care that all former laws relating to the trade of our plantations, be duly observed and executed, and particularly the act for encouraging and encreasing of shipping and navigation, made in the 12th year of our Reigne, the act for encouragement of trade, made in the 15th year of our Reigne, and the act for better regulating to the plantation trade made in the 22 and 23 years of our Reigne, and also our proclamation of the 24 November, in the 27 year of our Reigne, for enforcing the said laws; and you are once a year to return to our said commissioners of our customs, a list of all such shippes or vessells as shall lade within your government, any of the enumerated plantation commodities, as is provided by the aforementioned act of the 22 and 23 years of our Reigne, as also a list of all the bonds taken by you, together with such other matters as they shall desire from you. And you are from time to time, to correspond with our commissioners of our customs, and to inform them what you conceive further necessary for our service in the premises.— Given at our Court at White Hall, twelfth day of November, in the one and twentieth year of our Reign. By his Majesties command.

ESSEX,
L. HYDE,
J. ERNLE,
ED. DERING,
S. GIDELPHIS.

To our trusty and well beloved, the Governour,
for the time being, of our Colony of Connecticott,
New England.

A copy of the Deposition of Francis Branson.

Francis Branson, commander of the ship Anne and Hester, aged 30 years or thereabouts, in the behalf of his Majestie testifieth, that William Kelso, Chirurgeon, and John Bowland, mate of the said ship, being aboard, in the great cabbín at sea, the 16th day of April last, 1680, amongst other discourses that then passed between them, the said William Kelso in hearing of this Deponent, did declare in the great cabbín, that he was the Chirurgeon Generall, in the late rebellion in Scotland, and that after the Duke of Monmouth had been there and qualified them, Kelso cutt of his hair and wore a Perriwigg, and made his escape into the north of Ireland, and from thence transported himself to Dublin, and was there some small time, and from thence he made his escape to Bristol, and there he stayed a while, and after went up to London. He then at the same time did declare, that he knew those persons that murdered the Arch Bishop of St. Andrews, and that they had made their escape disguised, and could not be found; that there were six of them that sett upon him, when he was in his coach, going over a plain 3 miles from a village, that they hauled him out of his coach and told him that he had betrayed them, and therefore nothing should satisfie them but his blood. His Daughter being in the coach with him, opened her bosome, and desired them to spare her father and kill her, but they fell upon him with their pistolls, first pistolling him, and then hewed him in pieces with their swores; all which words were spoken by the said Kelso, when we were coming from England, being then bound for the Isle of May.

120 *Letter to Commissioners of Customs.*

Sworn to in Court, the 4th January 1680, in Boston, in New England. That this is a true coppie taken and compared with the original, 4th January 1680.

Attest,

EDWARD RAWSON, Secr'y.

Copy of a Letter sent by the Governor &c. of the Colony of Connecticut, to the Commissioners of his Majesties Customs.

MUCH HONOURED—

Yours of May 24th came to our hand January following with the inclosed from his Majestie, with the Statutes, box of Seals and book of rates, &c. the contents whereof were of much satisfaction unto us, viz: to be informed and directed how we might serve his Majestie preventive to frauds in customs and dutys, that being part of our allegiance and duty incumbant, unto which we apprehend ourselves sufficiently impowered by his Majesties gracious Charter, granted to this Colony, and wee have the greater happiness by your early care, thus to suggest to us before we arrived at any capacitie so to defraud, for though we may not boast of our own goodness, yet pennury hath hitherto obstructed, for after above forty years sweating and toyle in this wilderness, to enlarge his Majesties dominions, at our own cost and adventure, we have neither had leisure or ability to lanch out in any considerable trade at sea, having only a few small vessells to carry our corne, hoggs

and horses unto our neighbours of York and Boston, to exchange for some cloaths and utensills wherewithall to worke and subdue this country ; likewise some of those comodities are carried to the Barbadoes, and those Islands, to bring in some sugar and rum to refresh the spirits of such as labour in the extream heat and cold, so to serve his Majesties enlargement of Dominions, and gett a poor living to themselves meanwhile, the substance whereof we suppose Mr. Randolph can informe, who having lately taken an interview of our parts and Colony, unto whom we have shewed civility according to our capacitie, and offered any furtherance in so good a designe to prevent fraud towards our Sovreign in trade and navigation, we have also appointed customers or collectors in our severall counties, to take speciall care that these acts of navigation and trade be duly observed and kept, and have commissioned them accordingly, they are the most aptest persons we could pitch upon, for that affaire, this work is yett novell and unknown to them, through want of experience in such occasions, but we have no cause to doubt of their fidelitie and care in the due attendance of the work and trust reposed in them, and we shall be ready to grant Mr. Randolph such necessary aid and assistance as shall be requisite, if he also shall see cause to take any cognizance of these affaires in our colony, if yourselves or any Lords of the Privy Councill or Treasury will concern themselves to further light, in this or any thing proper to our Loyalty, we shall thankfully accept the same, and do our duty therein, praying always for the long life and happy Reigne of his Majestie, and wellfare of yourselves, and all Pro-

testant professors, as our own, who are your Honours very humble servants.*

WILLIAM LEETE, Gov'r,
JOHN TALCOTT,
JOHN ALLYN.

Hartford, January 24th, 1680.

Note.—This, according to the modern mode of dating, was 1681.

These for the Honourable the Comissioners of his Majesties Customes, at the Custome House in London.

* "The Acts of trade and navigation were exceedingly grievous to the Colonies. They viewed them as utterly inconsistent with their chartered rights. This made them extremely unwilling to submit to them. Massachusetts never would finally submit; but as it was matter of great and continual complaint against the Colonies, and as his Majesty insisted on the respective Governors taking the oath respecting trade and navigation, it was judged expedient, that Governor Leet should take it, in the presence of the Assembly. It was accordingly administered to him at the Session in May, 1680."—Trum. Hist. Con. Vol. 1, p 356.

"At a Generall Court of Election held at Hartford May 13, 1680, according to his Ma'ties command, the Governur did in the presence of the Court, take the oath respecting the act of navigation and trade, appoynted by his Ma'tie, it being administered to him by Mr. Sam'l Willys, Maj'r John Talcott, Capt. John Allyn, and fower others of the Council of the Colony, May 14, 1680."

A Letter from the Lords Commissioners of his Majes. Customs, relating to Trade and Navigation, &c.

Sr, herein we enclose a letter from his Majestie, in relation to his customes, arising by vertue of one act of Parliament, made in the 25th year of his Majesties Reigne, entitled an act for better secureing the plantation trade, and also in relation to the other laws which concern the plantation trade, and for your information in these matters, a book of rates is herewith transmitted to you, wherein the said laws are contained, viz. the act of navigation, the act for the encouragement of trade, the act for better regulating the plantation trade, and the act for better securing the plantation trade, together with some copies of his Majesties Proclamations of the 24 November, in the 27th year of his majesties Reigne, prohibiting the importation of the commodities of Europe into any of his majesties Plantations in Asia, Africa or America, which were not laden in England, and for putting all other laws relating to the plantation trade, in effectual execution, for due performance whereof you will please to give order and take care, and whereas several shippes have gone from his majesties plantations to Scotland, Ireland and other places beyond the seas, and there discharged their loading of tobacco, sugar and other the commodities, enumerated in the afore-said act of the 25, of the King, without first coming to England, Wales or Berwick and paying his Majesties duties there for the same, according to the said laws, for prevention thereof for the future, wee desire you will please that according to the aforementioned act for regulating the plan-

tation trade, we may receive from you at least once a year, a list of all such ships or vessels, as shall lade within your Government, any of the enumerated comodities, according to the enclosed forme, endorsed (No. 1,) and that you do not permitt any shipp or vessell to load any of the said goods in your colony, unless she first give bond to carry the same to England, Wales or Berwick, or pay the duties appointed by the aforesaid act of the 25, of the King, and also give bond to carry them to England, Wales or Berwick or to some other of his Majesties plantations, for that you are to know, that the payment of the said duties doth not give liberty to go to any Port or place other than to England, Wales or Berwick, or to some other of his Majesties plantations, and they are not thereby privileged to goe to Ireland, Scotland or any foreign country, and for the better discovery of false certificates of ships having given bond in England and unloaden there, we desire you will use your utmost care in causing strict examination to be made of all certificates, both of ships having given such bond, and also of their having discharged their loading in England, and that you admit of no certificates of any ships having given bond, nor of any ships having discharged their loading in England, Wales or Berwick, but such as shall come to you under the hands and seals of the customer or patent collector and comptroller or their deputies, and the hand of the commission collector or his deputy or two of them, of the port where they gave bond or unladed respectively, and we herewith transmitt to you one of each of the impressions of the seales as we rec'd them, both from the respective customers and comptrollers, both in the port of London and the out Ports. And we desire that as it is the practice

in other plantations, all certificates, both of ships having given bond, and of their having discharged their respective loadings may be registered in your navall office, or some other publick office in your colony, and you may please further observe, that you are not to permitt any shipp to take in any of the enumerated goods in your colony, but such as have given bond in England, Wales or Berwick, or to yourself, or to the Governor of some other of his Majesties colonies, and where a certificate shall be brought to you, of any ships having given bond with the Governour of any other colony or ships, having unloaden any of the said commodities in any other colony, you are nott to admitt thereof, unless it be under the hand and seal of such Governour respectively, and as to the bonds to be taken by you, wee here inclose to you the form of a bond to be entered into by masters of ships that enter for England, Wales or Berwick, only, (No. 2,) and the form of a bond to be entered into by the masters of ships that enter for England, Wales or Berwick, or some other of his Majesties plantations, before they have liberty to lade any of the said goods, (No. 3,) both which bonds are to be with one sufficient surety; and the blank in which bonds for the summ is to be filled up according to the direction in the act of navigation, with the sum of one thousand pounds, if the ship be of less burthen than one hundred tonn, and of two thousand pounds if the ship be of a greater burthen, and because the life and efficacy of such bonds depend principally upon the sufficiency of the securities, we desire that you will take effectual care that the sureties in all such bonds, be persons of sufficiency and value, and inhabitants within your Government; and in all cases where bond hath been given to you, if

you can discover and make prooffe, that any such ship or vessell hath discharged her loading, contrary to her bond, or that a convenient time hath passed in expectation of the returne of a certificate of her unladeing according to the condition of her bond, and that no such certificate is returned, wee desire you will cause the bond to be prosecuted, wee doubt not but you will give all encouragement to Mr. Randolph, appointed by his Majestie to receive his customes in your colony, and likewise to his deputies,—we are Sr your very humble servants,

STOWIMS,
CHELHEYNE,
HILLINGTERY.

Custom House, London, }
24 May, 1680. }

To the Governour for the time being, of Connecticut colony, New England.

Name of Plantation or Port. | *A Form of Entry, according to which a List of all Ships Trading to and from any of his Majesties Plantations in America, being Registered pursuant to the directions of the late act of Parliament, is to be transmitted to the Com^rs of his Majesties Customes in the Port of London.*

ENTRING INWARD AT THE PLANTATIONS.

Time of Importation.	Ships name of what place.	Master's names.	Kind of Built	Burthen	When & where built.	Where & when regis'd.	Owner's names.	General Cargo.	From whence.	When & where bond given.
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CLEARING OUTWARD FROM THE PLANTATIONS.

Time of Clearing.	Ships name of what place.	Master's name.	Kind of Built	Burthen	When & where built.	When & where regis'd.	Owner's names.	Quantity of Plant'n cargo specified.	Where when bound.	Where and when bond given.
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In the Register of Prize Ships, the capture and condemnation must be also specially mentioned, instead of the time and place of Building.

Lists of all Ships, trading to or from the Plantations, or from one Plantation to another, to be prepared Quarterly by the Collectors of the Customes, and the navall officers in the respective Plantations, in order to be transmitted to the Commissioners of his Majesties Customes by the first opportunity of shipping every Quarter.

Copy of a Letter from the Governor and Council of the Colony of Connecticut, to the Rt. Honorable, the Lords of the Council of trade, relative to the Narraganset Country.

RIGHT HONNOURABLE—

We request your consideration of our pleas of right to the Government and soyle of the Narragansett lands.

1. Our Pattent, dated 23d Aprill, in the fourteenth year of his Majesties Reigne, doth circumscribe those lands, and makes them Connecticut, which Pattent is precedent to Rhoad Island.

2. That the bounds of our charter, as to the eastern limits, was not newly devised, but was so described in a grant made formerly to some Lords and Gent, bearing date Anno. Dom. 1631, which at a dear rate was purchased by the Colony of Connecticut, which grant, though so purchased we were unwilling to rely upon, it wanting a Royall stamp, and therefore soon after his Majesties happy restoration to his Crown and dignity, this Colony did request and impower the Hon. John Winthrop Esqr., our then Governour, to undertake a voyage for England, and to present our humble address to his Majesty and procure a charter for this Colony, which through assistance of Almighty God, and the abundant grace of our Lord the King, (whom God preserve) he was successfull therein.

3. That Pawcatuck River, which Rhoad Island procured his Majestie to call Narragensett River in their charter, lyeth about six miles within the Pequot country, that was conquered by us above forty years agoe, which his Majestie is pleased to

take notice of, as a ground for the grant of our charter, in part of which lands we have been forced to settle some of our friend Indians, who were helpfull to us in the warr when the Narragansetts were our enemies, and the Rhoad Islanders no good friends, that it should be taken from them for Rhoad Island, to possess and govern will be to them intollerable.

4. After a charter was procured and sent over to us, the Honnourable John Winthrop his agency was expired, and therefore any agreement Rhoad Island may pretend they made with Governour Winthrop, doth not binde the Colony.

5. Connecticot have dealt plainly, and have antiquity of their side before either donation of the Indians to his Majestie, and before Rhoad Islands charter grant.

6. Connecticnt hath been long and lately in possession of great parts of those Narraganset lands, which according to his Majesties Letter of February 12th, 1697, (we humbly conceive) ought so to continue untill his Majesties decision and pleasure be further known, notwithstanding which, the Government of Rhoad Island have been contending with us, incroached upon our rights, and given us great mollestation.

7. In the late Indian warr, Rhoad Island Government neglected to grant assistance to defend the people planted in the Narraganset country, or to recover the lands out of the hands of the natives, our enemies, who strongly fortified themselves there, and ruled as Lords both of soyle and Government, till they were recovered out of their hands by this Colony, and our allies, yea when in the sharpest of the winter, our souldiers had a cruel fight with the enemy, beat them out of their works and burnt them with fire, and retreated to

Rhoad Island for recruit w'th our wounded men ; we were forced to pay dearly for what reliefe they had there, and our souldiers when they were so well that they could be removed into our Colony for care, (they haveing not money to pay) their late Governour Cranson, took indentures of our souldiers to serve him for years for what they had had, before he lett them pass, and yet againe they give us trouble, and would re-assume a Government there, which how they manage we hope you will have from other hands, sundry other such things with sufficient proofs we had sent over, but they are all lost with our agent, we request your favorable construction hereof, and you will thereby oblige your most humble servants, the Governour and Councill of Connecticutt.

WILLIAM LEET, Govern'ur.

Hartford, July 15th, 1680.

Heads of inquiry, containing 27 queries, sent from the Honourable the Lords of the Councill of Trade and Foreign Plantations, to the Governour of his Majesties Colony of Connecticutt, in New England.

1. What Councils, Assemblies and Courts of Judicature are within your Corporation, and of what nature and kinde ?
2. What Courts of Judicature relating to the Admiralty ?
3. Where the Legislative and Executive powers of the Government are seated ?

4. What Statutes, Laws and Ordinances, are now made and in force?

5. What number of Horse or Foot are within your Government, whether they be trained bands or standing Forces, how they are armed, divided and exercised?

6. What Castles and Forts are within your Corporation, and how situated and fortified; as also what stores and provisions they are furnished withall?

7. What number of Privateers or Pyrates do frequent your Coast, and what their burthens are, the number of their men and gunns, and the names of the Commanders?

8. What is the strength of your bordering neighbours, whether Indians or of any other nation, by sea and land, and what is the state and condition of their trade and commerce?

9. What correspondence do you keep with your neighbours?

10. What are the Boundaries, Longitude, Latitude and contents of Land within your Government, and what number of acres Pattented, settled, or unsettled, and how much is manureable Land?

11. What are the principall Towns and places of trade, and what manner of buildings are most used in your Corporation, as to the strength and largeness of them?

12. How many Parishes, Precincts, or divisions are within your Government?

13. What Rivers, Harbours and Roads are within your Corporation, and of what depths and soundings they are?

14. What comodities are there of the production, groth and manufacture of your Government, and of what value yearly, either exported or con-

sumed upon the value, and what materials are there already growing, or may be produced for shipping, as also what are the commodities imported, and of value yearly?

15. Whether salt petre is or may be produced within your corporation, and if so, in what quantity, and at what rates it may be delivered in England?

16. What number of merchants and planters, English or foreigners, servants and slaves, and how many of them are men able to bear arms?

17. What number of English, Scotch, Irish or foreigners have (for these 7 yeares last past, or for any other space of time) come yearly to plant and inhabit within your corporation; and also what blacks and slaves have been brought in, within the said time, and at what rates?

18. What number of whites, blacks or mulattos have been born and christened for these seven years last past, or any other space of time, for as many years as you are able to state an account of?

19. What number of marriages for seven years last past, or any other time, for as many years as you are able to state an account of?

20. What number of people have yearly dyed within your Government, for seven years past, or any other time, for as many years as you are able to state an account of?

21. What estimate can you make, touching the estates of the severall degrees of merchants and planters within your corporation; and how you may compute the wealth of the corporation in generall?

22. What number of ships, sloops or other vessells do trade yearly to and from your Government, and of what built and burthen, and whether there be any belonging to the country?

23. What obstructions do you find to the improvement of the trade and navigation of your Corporation?

24. What advantages and improvements do you observe that may be gained by your trade and navigation?

25. What Rates and Duties are charged and payable upon any goods exported out of your Government, whether of your own growth or manufacture, or otherwise, as also upon goods imported; and likewise what other Revenue doth or may arise within your Corporation, and how the same are applied &c.?

26. What Perswasion in Religious matters is most prevalent, and among the varieties which you are to express, what proportion in number and quality of people the one holds to the other?

27. What course is taken for the instructing of the People in the Christian Religion: how many Churches and Ministers are there within your Government, and how many are yett wanting for the accommodation of your Corporation; what provision is there made for their maintenance, as also for relieving poor decayed and impotent persons, and whether you have any beggars and idle vagabonds?

By command of the Right Honourable, the Lords of his Majesties most Honourable Privy Council, appointed a Committee for Trade and Forreign Plantations.

WILLIAM BLATHWAYT.

Answers made to the queries foregoing, and sent to the Right Honourable the Lords of his Majesties most Honourable Privy Councill, appointed a Committee of Trade and Plantations.

1. We have yearly two General Courts, according as they are stated in his Majesties gracious charter, granted to this Colony. We have two Courts of Assistants, which consist of the Governor and six Assistants, which are for the tryall of cappitall offences, and for the hearing of all appeals, with a jury.

Our Colony is divided into four Counties, and in each County there are two County Courts annually, consisting of Magistrates, with a Jury, to heare and determine all actions of debts, slander, and of the case, and Criminall matters of lesser nature, as there is any special occasion ; the Governour calls his Assistants who are his Councill, to meet and consider of such matters as fall in, in the intervall of the Courts, and to order and determine the same.

2. We have little traffique abroad, and small occasion for such a Court and so have not considered or stated any such Court at present distinct from the rest, but it is left with the Court of Assistants.

3. The Legislature is only in the General Court, and the Executive in those Courts appointed as before.

4. We have herewith sent you one of our Law Books, wherein are what Laws were in force when we printed them, since which, some few orders have been made, but are not yet printed, and so have not sent them : your Lordships may please to take notice, that in our preface to our Laws,

we say we have been carefull not to make any repugnant to the Stattute Laws of England, so farr as we understand them, professing ourselves always ready and willing to receive light for emendation or alteration, as we may have opportunity, what we then said is our present purpose, and shall be our practice as occasion requires.*

* Until the year 1672 the laws of the Colony had been kept in manuscript, and were promulgated by sending copies of them to the several towns in this Colony. At the Session of the General Court in October 1672, it was ordered that the laws of the Colony should be printed: the Book consisted of about seventy-five Folio pages, printed, and about the same number of blank pages. The laws that were passed after the printing of the book, were inserted in writing in the blank pages till the book was filled up. The Generall Court enacted that every family in the Colony should purchase one of the books.

Here follows a copy of the Act.

"At a General Court held at Hartford, October 10, 1672:

It is ordered by this Court, that our laws shall be printed as soon as may be conveniently, the copy of them being viewed and approved by this Court.

It is also ordered that every family in the several plantations in this Colony, shall purchase one of our Law Books to keep for their use, and the constables of the several plantations are to see that this order be duly attended, and that the books are paid for as they are delivered, either in silver or wheat; those that pay in silver, to pay twelve pence a book; and those that pay in wheat, to pay a peck and half a book, and those that have not those things to pay, are to pay two shillings in pease for a book; pease at three shillings pr bushel, all to be delivered at the County townes in each County."

It appears that this order was not at first as strictly complied with as was intended, for the printer made loud complaints that he did not receive punctual payment for the books, and at length petitioned the General Court for redress of grievances; whereupon at their session at Hartford, October 1674, the following order was passed.

"October 8th, 1674.—The printer complayneing that he is not payed for the law books by the severall constables of

5. For the present, we have but one Troop settled, which consists of about sixty Horss, yet we are upon raising three Troops more, one in each County, of about 40 Horss in each Troop, our other forces are Trained Bands, there is a Major in each County, who commands the Militia of that, under the Governour for the time being, who is the General of all the Forces within our Colony, the whole amounts to 2507; the names of our several Counties are:

Hartford County, where are about 835 Trained Souldiers—New Haven County, where are about 623 Trained Souldiers—New London County, where are about 509 Trained Souldiers—Fairfield County, where are about 540 Trained Souldiers—Total 2507 men.

Our Hossmen are armed with Pistols and Carbines, the Foot Souldiers, with Muskett and Pike, for the present, in our late wars with the Indians, we found Dragoons to be the most usefull, and therefore improved about 300 of them in the service to good success.

6. We have one small Fort within our Colony, which is at the mouth of Connecticott River, at a place called Saybrook, and our stores of Pro-

sundry of the plantations, the Court orders that whatsoever constable shall neglect to bring in the pay, due for the law books their towne hath or ought to receive, according to former order to the County Towne of their County, and deliver the same to the persons appoynted in the sayd Countyes to receive the same, one month after publication hereof, shall forfeit twenty shillings, and so twenty shillings a month till he hath accomplished the same. The Treasurer, upon complaint made of the breach of this order, is to grant warrant to levy the penalty for the use of the printer; the persons appoynted to receive the pay for the printer in the County Townes, are for Hartford, the printer himself, for New Haven, Mr. John Hudson, for Fayrefield, Mr. John Burr, for New London, Mr. Joshua Raymond."

vision are but slender, we having Towns about it that can convey Provisions to it upon all occasions—other good Harbours we have, and one especially, at a Town called New London, formerly called Pequott, near which the English of Connecticut obtained a memorable victory over the Pequotts, the first and most fatal blow the Indians rec'd from the English in New England, till the late warr in 1675 and 1676. The Harbour lyeth about a league up the River, where the Town is: ships of great burthen may come up to Town and lye secure in any winds, where is great need of Fortification, but we want estate to make Fortification, and purchase artillery for it, and we should thankfully acknowledge the favour of any benefactors that would contribute towards the doing of something towards the good work.

7. It is rare that ever there comes any here on those dangerous coasts, only about two years agoe there came a French Captain called Lamoine, with three shippes, one of which wintered at New London, and in the spring went of to sea.

8. As for our Indian neighbours in this Colony, we compute them to be about 500 fighting men, as for our neighbours of York, Massachusetts and Plimouth, we suppose they are to answer to the same questions, and know better what their strength, and the number of the natives is amongst them; as to the French, we are strangers to them, and know nothing of their strength or comerce. Our chief trade for procureing of cloathing, is by sending what Provisions we raise to Boston, where we buy goods with it to cloath us, the trade with the Indians in this Colony is worth nothing, for by reason of warrs they have with other remote Indians, they gett little Peltry.

9. We have neighbourly correspondence with

New Plimouth, and the Massachusetts, and since Sr Edmund Andross is come to York, our correspondence with him, is not like what it was with his predecessor in that Government; as for Rhoad Island, we have not so good correspondence with them as we desire.

10. Our Boundaries are expressed in our Charter. As to the number of acres settled, or unsettled, or how much is manureable, we cannot guess, the country being a mountainous country, full of rocks, swamps, hills, and most that is fit for plantations is taken up, what remains must be subdued, and gained out of the fire, as it were, by hard blows and for small recompence.

11. Our principall Towns are Hartford, upon Connecticott River, New London, upon Pequott River, New Haven and Fairfield, by the sea side, in which towns is managed the principall trade of the Colony; our buildings are generally of wood, some there are of stone and brick, many of them of good strength and comliness for a wilderness, both those of wood, stone and brick.

12. We have twenty-six small Towns* already settled in our Colony, and in one of them we have two Churches.

13. Between the Narragansett River, our last Bounds, and Momoronack Rivolett, our Western Bounds, are those Rivers following: The River of Connecticott, at the entrance of which there is but about 10 or 12 foot at high water, vessels of 50 or 60 tunns, sometimes 80 tunns will goe up 60 miles in that River, to the Town of Hartford, but by reason of flatts and falls, they cannot goe above 6 miles beyond Hartford—New London or Pequott River, where a ship of 500 tunns may go up

* Rye and Bedford were included in this number.

to the Town, and come so near the shoar, that they may toss a biskitt on shoar, and vessells of about 30 tons may pass up about twelve miles above New London, near to a Town called Norwich—at New Haven and Fairfield, ships of three hundred tonns or bigger, may come into the Harbours—at Guilford, Milford, Norwalk, Stratford and Rye, vessells of about 30 or 40 tonns may come in, and they are pretty good Tide Harbours.

14. The commodities of the country are wheat, peas, rye, barley, Indian corn, and pork, beef, wool, hemp, flax, cyder, perry, and tarr, deal boards, pipe staves, horses; but to say the yearly value of what is exported, or spent upon the place, we cannot. The most is transported to Boston, and there bartered for cloathing, som small quantities directly sent to Barbadoes, Jamacia and the Carribbe Islands, and there bartered for sugar, cotton wool and rumm, and som money; and now and then rarely some vessells are loaden with staves, pease, pork and flower, to Madera and Ffyal, and then barter their comoditys for wine; we have no need of Virginia trade, most people planting so much tobacco as they spend, our wheat having been much blasted, and our peas spoiled with worms for sundry years past, our trade is much abated. For the materials for shiping, here is good timber, of oak, pine and spruce for masts, oak boards and pine boards, tar, pitch and hemp. The value of the comoditys imported yearly, we cannot compute, but possible it is 8000 or 9000 pounds.

15. We have no Salt Peter raised in our Colony, neither do we know how to raise it, or whether here be the materials that will make it.

16. In our Colony there are about 20 petty merchants, som trade only to Boston, som to Boston and the Indias, others to Boston and New

York, others to Boston, the Indias and Newfoundland. As for Forreigne Merchants, a few, and very few seldom trade hither; as to the number of Planters, they are included in our train bands, all from 16 to 60, being to bear arms. There are but a few Servants amongst us, and less Slaves, not above 30 as we judge in the Colony.

17. For English, Scotch and Irish, there are so few come in, that we cannot give a certain account, some years comes none, sometimes a family or two in a year, and for Blacks, there comes sometimes 3 or 4 in a year from Barbadoes, and they are sold usually at the rate of £22 a piece, sometimes more, and sometimes less, according as men can agree with the masters of vessells or Merchants that bring them hither.

18. We can give no account of the perfect number of either, born, but few Blacks, and but two Blacks christened, as we know of.

19. We can give no perfect account of it.

20. This we cannot give account of, but as to the increase, take it as followeth:

In the year, 1671, our number of men was 2050.

In the year 1676, our number was 2303.

In the year 1677, our number was 2365.

In the year 1678, our number was 2490.

In the year 1679, our number was 2507.

21. As to the Estates of the Merchants, we can make no guess of them, but for the Estates of the Corporation in general, it doth amount to about £110,788. Houses are so chargable to maintain, that they are not valued in the above mentioned sum.

22. It is rare any vessels come to trade with us, but what come from Massachusetts Colony or New York; but sundry of their vessels do come and transport our provision for our Merchants to

Boston, the account of our own vessels followeth :

In Stamford 1 Pink, 80 ton, and 1 Sloop, 10 tonns.

In Stratford 1 Sloop, 12 tonns.

In Milford 1 Pink, 80 ton, 1 Bark, 12 ton, 1 Ketch, 50 tons.

In New Haven 1 Pink, 60 ton, 1 Sloop, 30 ton, 1 Ketch, 24 tonns, and 1 Sloop 12 tonns, and 1 Sloop 8 tons.

In Brandford 1 Barque, 30 tonns.

In Kinnelworth 2 Sloops, one 18, one 14 tonns.

In Saybrook 2 small Sloops.

In Middletown 1 Ship, 70 tonns.

In Hartford 1 Ship, 90 tonns.

In Lyme 1 Ketch, 70 tonns.

In New London 2 Ships, 1 70 tonns, 1 90 tonns, 3 Ketches about 50 tonns a piece, 2 Sloops, 15 tonns a piece.

In Stonington 1 Sloop, 10 tonns.

23. The want of men of Estates to venture abroad, and of money at home, for the management of trade and labour, being so with us.

24. If so be that Hartford, New London, New Haven and Fairfield, might be made free Ports for 20 or 15 years, it would be a means to bring trade there, and much increase the navigation, trade and wealth of this poor colony.

25. We take no duties of goods exported out of our Government, nor of any goods imported, except on wine and liquors, which is inconsiderable, and improved towards the maintenance of free schools.

26. Our people in this colony, are some strict Congregationall men, others, more large Congregationall men, and some moderate Presbyterians : and take the Congregationall men of both sorts, they are the greatest part of people in the colony ;

there are 4 or 6 sevenths day men, and about so many more quakers.

27. Great care is taken for the instruction of the people, in the Christian Religion, by ministers Chattechising of them, and preaching to them twice every Sabbath day, and sometimes on Lecture days, and so by masters of families, instructing and chattechising their children and servants, being required so to do by law. In our corporation are 26 towns as aforesaid, and there is 21 Churches in them. There is in every town in our colony a settled minister, except it be in two towns new begun, and they are looking out for a minister to settle amongst them. For the maintenance of the ministers, it is raised upon the people by way of rate, and it is in some places, £100 per annum, some 90, some 80, but in no place less than 50 pounds per annum, as we know of, and so the proportion raised, is according as the occasion of the minister calls for it, and the peoples ability will allow. For the poor it is ordered that they be relieved by the towns where they live, every town providing for their own poor, and so for impotent persons, there is seldom any wants relief, because labour is dear, viz. 2s and sometimes 2s 6d a day, for day labourers, and provisions cheap, viz. wheat 4s per bushell, Winchester measure, pease 3s per bushell, indian corne 2s 6d per bushell, pork 3d per pound, beeif 2 1-2d per pound, butter 6d. Beggars and vagabond persons are not suffered, but when discovered bound out to service, yett sometimes a vagabond person will pass up and down the country, and abuse the people with fals news, cheat and steal, but when they

are discovered they are punished according to their offence.

WILLIAM LEET, Governour.

Pr. order, JOHN ALLYN, Sec'ry.

Hartford, July 15th, 1680.

These for Mr. Blathwayte, Esq. at the Plantation office at White Hall, pr. him to be delivered to the Right Hon'ble, the Lords of his Ma'ties most Hon'ble Privy Councill.

RIGHT HON'BLE—

Your letter of the 1st day of August 1679, we have received, and it is gratefully accepted pr. us, that such hon'ble personages as yourselves are pleased to take notice of us, your honours poor countrymen, in so remote a part of this wilderness, and that you are so studious to promote the publique good, we have returned a brief answer to those questions your honors have been pleased to require an answer of us, which with all plainness and truth, charitableness be acceptable to your hands, you may farther please to understand, that we are but a poor people, we have lost and spent much of o'r estates in the last Indian war o'r expences w'th o'r loss cannot be estimated less than £30,000, and no other advantage gayned by it than the riddance of some of o'r bad neighbours; in o'r answers you will understand o'r way of living, for the most part, we labour in tilling the ground, and by that time a yeares travels and labour hath gathered some small parcell of provision, it is transported to the market at Boston, and halfe a crown will not buy so much goods of any sort as 18 pence will in England; besides for

sundry years past the holy providence of God hath smitten us year after year, with blastings and mildues, whereby we have lost the great part of our wheat every yeare, and these 3 or 4 last years, there is a worme breads in o'r pease which doth much damnify them, so that we are like, (by reason of o'r losses at home and the heightened price of goods from abroad) to remaine a poor but loyall people, and we humbly request your honours to represent us to his sacred Ma'tie and if by your Lordships mediation his Ma'tie be pleased to cast any rayes of his favour upon us, and grant unto us that New London, or some other of our Ports might be made free Ports for 20 or 15 or 10 yeares, it would be a great means to move men of estates to trade and settle there, it would bring trade hither, so that the wealth of this his Ma'ties colony would be encreased and his Ma'tie in the conclusion receive no damage thereby; Right hon'ble we request your pardon for o'r boldness herein, and desire that we may enjoy your favours, and that you would graciously be pleased so to tenderness as that we may be upheld under your honours shaddow in the full injoyment of all those priviledges and immunities his Ma'tie hath been pleased to grant unto us, and for your honour, we shall ever pray and remayne your honours most obedient and dutifull servants, the Govr. and Councill of Connecticott.

WM. LEET, Govr.

Hartford, July 15, 1680.

An order of the Lords of the Privy Council, for apprehending William Kelso.

Att the Court at White Hall,)
this 22d day of March, 1681.)

BY THE RIGHT HONNOURABLE, THE LORDS
OF HIS MAJESTIES PRIVY COUNCIL—

Upon reading this day, at the board, the annexed copy of a deposition of Francis Branson, commander of the ship Anne and Hester, setting forth that one William Kelso, Chirurgeon of the said ship, did in his way hence to New England, confesse, (in the presence and hearing of the deponent) that he was Chirurgeon Generall, in the late rebellion in Scotland, and likewise give out suspicions words, as if he had likewise been concerned in the horrid and barbarous murder of the late Arch Bishop of St. Andrews. It was this day ordered by their Lordships in Councill, that the Right Honourable Secretary Jenkins, (upon perusall of the said deposition,) prepare letters for his Majesties Royall signature, requiring and commanding the Governours or Commanders-in-Chief of his Majesties severall colonys, in New England, forthwith to cause the said William Kelso to be apprehended, and sent over hither in safe custody by the first shipp, in order to his being proceeded against for the said crimes according to law.

PH: LLOYD.

A Letter from his Majesty Charles 2d, to the Governor and Councill of the Province of Connecticut, in relation to the Province of New Hampshire, &c.

CHARLES R.

Trusty and well beloved, we greet you well :—
Whereas we have thought fitt to take the Government of our province of New Hampshire, into our immediate care, and have for the better protection of the inhabitants thereof, constituted and appointed our trusty and well beloved Edward Cranfield, Esqr. our Lieut. Governour and Commander-in-Chief of that Province, with especiall directions among other things to be ayding and assisting to the best of his powers, and with the forces under his command, unto our loveing subjects of the neighbouring colonies within our dominions of New England, and peticularly to our colony of Connecticutt, in case of any insurrection or rebellion, or if any attempt or invasion of any of our enemies, whereby our subjects may be annoyed or disturbed in the quiet and peaceable enjoyment of their properties and estates, we are therefore pleased hereby to signifie the same unto you, as an effect of our gracious disposition for the security and benefitt of our colony under your Government, and to lett you understand that we doe in the same manner expect and require that a mutual assistance be readily given by you, and our said colony of Connecticott, unto the said Edward Cranfield, and our good subjects inhabiting within the Government wherewith he is intrusted, if the like invasion or attempt shall at any time be made upon them by any people or

nation whatsoever, whether Indians or others, and that you afford them on such occasion, such number of forces, and other aid, as the condition of our colony under your direction shall permitt, which we will esteeme an acceptable service unto us, as it will much conduce to the common safety and preservation of all our subjects aforesaid, and so we bid you farewell.

Given at our Court at Windsor, the 5th day of June, 1682, in the four and thirtieth year of our Reigne.

By his Majesties Command,
L: JENKINS.

To our trusty and well beloved, the Governour and Councill of our colony of Connecticott, in New England, now and for the time being.

A Letter from his Majesty Charles 2d, with orders to apprehend William Kelso.

CHARLES R.

Trusty and well beloved, we greet you well:— You will see by an affidavit whereupon an order of Councill hath been made, (copies of both which are herewith sent you) one William Kelso, Chirurgurgeon of the ship Anne and Hester, did in his voyage to New England, confesse that he had been Chirurgurgeon Generall to the forces engaged in the late rebellion in Scotland, having also given out suspicious words as if he had been concerned in that horrid and barbarous murder of the late

Arch Bishop of St. Andrews, which we hold ourself by the laws of God and man to prosecute upon all those that shall be found guilty thereof: we do therefore require and command you forthwith to cause dilligent search to be made throughout all your Government for the said William Kelso, and being found, to cause him to be apprehended, and sent over thither in safe custody, by the first shipp bound from thence to England, in order to his being proceeded against for the said crimes according to law: Hereof you are not to faile as you tender our displeasure; and so we bid you farewell.

Given at our Court, at White Hall, the 30th day of September, 1682, in the four and thirtieth year of our Reigne.

By his Majesties Command,

L. JENKINS.

To our trusty and well beloved, the Governour and Councill of our colony of Connecticott, in New England.

Letter from his Majesty Charles 2d, relative to Privateers and Pirates.

CHARLES R.

Trusty and well beloved, wee greet you well:—Whereas we are informed of great disorders and depredations, daily committed, to the prejudice of our allies, contrary to treaty between us, and a good correspondence that ought to be maintained

between Christian Princes and States. And we haveing already given strict order in our Island of Jamaica, against such illegall proceedings, by passing a law for restraining and punishing Privateers and Pyrates; our will and pleasure is, that you take care that such a law, (a copie where-with is sent you) be passed within our colony, under your Government, which you are to certifie unto us by the first opportunity. And so we bid you heartily farewell.

Given at our Court at New Markett, the 8th day of March, 1683.

By his Majesties command.

L. JENKINS.

To our trusty and well beloved, our Governour and company of our colony of Connecticott, in New England, in America.

An act for the restraining and punishing Privateers and Pyrates.

Whereas nothing can more contribute to his sacred honnour, than that such articles as are concluded and agreed on, in all treaties of peace, should by all his Majesties subjects, according to their duty, be most inviolably preserved and kept, in and over all his Majesties dominions and territories; and whereas not only against such treaties of peace, made by his Majesty with his allies, but also contrary to his Majesties Royall Proclamation, severall of his subjects have and do continually go off from this colony into foreign Princes services, and sail under their commissions, contrary to their duty and good allegiance, and by fair meanes cannot be restrained from so doing.

Be it therefore enacted by ——— and it is hereby enacted by the authority of the same, that from and after publication hereof, it shall be felony for any person, which now doth, or within four years last past, heretofore hath, or hereafter shall inhabitt or belong to this colony, to serve in America, in a hostile manner, under any foreign Prince, State or Potentate, or any employed under any of them, against any other foreign Prince, State or Potentate, in amity with his Majesty, without special lycense for so doing, under the hand and seal of the Governour or Commander-in-chief of this colony, for the time being, and that all and every offender or offenders, contrary to the true intent of this act, being thereof duly convicted in any of his Majesties Courts of Judicature within this colony : To which Court authority is hereby given to hear and determine the same, as in other cases of felony, shall suffer pains of death without the benefitt of the clergy : Provided nevertheless, that this act, nor any thing therein contained, shall extend to any person or persons, which now are, or have been in the service or employment of any forreign Prince, State or Potentate whatsoever, that shall return to this Colony and leave and desert such service and employment before the first day of January next ensuing, rendering themselves to the Governour or Commander in Chief for the time being, and giveing him such security as he shall appoint for their future good behaviour ; and also that they shall not depart this Colony without the Governours leave.

And for the better and more speedy execution of Justice upon such, who having comitted Treasons, Piracies, Fellonies and other offences upon the sea, shall be apprehended in, or brought Prisoners to this Colony ; be it further enacted, by the

authority aforesaid, that all Treasons, Fellonies, Piracies, Robberies, Murthers or confederacies comitted, or that shall hereafter be comitted upon the Sea, or in any Haven, Creek or Bay, shall be inquired, tryed, heard, determined and judged within this Colony, in such like forme, as if such offence had been comitted in and upon the land; and to that end and purpose comissions shall be had under the Kings great Seal of this Colony, directed to the Judge or Judges of the Admiralty of this Colony for the time being, and to such other substantiall persons, as by his Majesties Governour or Commander in Chief of this Colony for the time being, shall be named or appointed, which said commissioners or such quorum of them, as by such commission shall be thereunto authorized, shall have full power to do all things in and about the inquiry, hearing, determining, adjudging and punishing of any of the crimes and offences aforesaid, as any comissioners to be appointed under the great Seal of England, by vertue of a Statute made in the twenty eighth year of the Reign of King Henry 8th, are impowered to do and execute within the Kingdom of England; and that the said offenders which are, or shall be apprehended in, or brought prisoners to this Colony, shall be lyable to such order, process, judgments and executions, by vertue of such comission to be grounded upon this act, as might be awarded or given against them, if they were proceeded against within the Realm of England, by vertue of any comission, grounded upon the said Stattute. And all tryalls hereafter had against criminall or criminals before any Judge or Judges, by vertue of such comission or authority at any time heretofore granted, and all proceedings thereupon are hereby ratified, confirmed and adjudged lawfull,

and all such Judges, with all and every the inferior officers that have acted thereby, are hereby indemnified to all intents and purposes whatsoever, and in case they or any of them shall at any time hereafter be sued, vexed, molested or troubled for any such their proceedings as aforesaid, he or they so sued, vexed or molested, shall plead the general issue, and give this act in evidence. Any Law, Statute or custome or usage to the contrary in any wise notwithstanding.

And be it further enacted by the authority aforesaid, that all and every person or persons that shall any way knowingly, entertain, harbour, conceal, trade or hold any correspondence by letter or otherwise, with any person or persons, that shall be deemed or adjudged to be Privateers, Pirates or other offenders within the construction of this act, and that shall not readily endeavour, to the best of his or their power to apprehend or cause to be apprehended such offender or offenders, shall be liable to be prosecuted as accessaries or confederates, and to suffer such pains and penalties as in such case by law is provided. And for the better and more effectually execution of this act, Be it further enacted by the authority aforesaid, that all comission officers in their severall precincts within this Colony, are hereby required and empowered, upon his or their knowledge, or notice given, that any Privateers, Pirates or other persons suspected to be upon any unlawfull designe, are in any place within their respective precincts, to raise and levy such a number of well armed men, as he or they shall think needfull for the seizing upon, binding and carrying to Goal, all and every such person or persons; and in case of any resistance or refusall to yield obedience to his Majesties authority, it shall be lawfull to kill or de-

stroy such person or persons, and all and every person or persons, that shall oppose or resist by strikeing or fireing upon any of the comanded parties, shall be deemed, taken and adjudged as fellons without benefitt of the Clergy; and every such officer that shall omitt or neglect his duty therein, shall forfeit fifty pounds currant money of this Colony for every such offence, to be recovered in any of his Majesties Courts of Record within this Colony, by bill, plaint or information, wherein no Essoigne, wager of Law or protection shall be allowed, one moiety thereof to be to our Sovereigne Lord the King, his heirs and successors for and towards the support of the government of this Colony, and the contingent charges thereof; and the other moiety to the informer, and all and every person or persons that, upon orders given him or them, shall refuse to repair immediately, with his or their arms well fixed, and ammunition, to such place or places as shall be appointed by the said officer, and not readily obey his comands in the execution of the premises, shall be liable to such fine or corporall punishment as by a Regimentall Court Marshall, shall be thought fitt.

His Majesties Commission to Edward Cranfield and others, for examining the several claims and titles to the Narraganset country.

CHARLES R.

Charles the second by the Grace of God, King of England, Scottland, France and Ireland, defen-

der of the faith &c. To our trusty and well beloved Edward Cranfield Esqr, our Lieut. Governour and Commander in Chief of New Hampshire, and to William Stoughton, Joseph Dudley, Edward Randolph, Samuel Shrimpton, John Fitz Winthrop, Edward Palmes, John Pynchon Junior, and Nathaniel Saltonstall Esqrs, Greeting.—Whereas for the quieting of all disputes that have arisen concerning the right of propriety to the Jurisdiction and soyle of a certain tract of land within our Dominion of New England, called the Kings Province, or Narraganset country, we have thought fitt to cause strict enquiry to be made into the severall titles and pretensions which are claimed or challenged thereunto; know ye therefore that we reposeing especiall trust and confidence in the prudence, fidelity, and circumspection of you the said Edward Cranfield, William Stoughton, Joseph Dudley, Edward Randolph, Samuel Shrimpton, John Fitz Winthrop, Edward Palmes, John Pinchon, Nathaniel Saltonstall, have assigned, ordained, constituted and appointed, and do by these presents, assign, ordain, constitute and appoint you the said Edward Cranfield, William Stoughton, Joseph Dudley, Edward Randolph, Samuel Shrimpton, John Fitz Winthrop, Edward Palmes, John Pinchon Junior, and Nathaniel Saltonstall, to be our Commissioners for examining and enquiring into the respective claims and titles, as well of our self, as of all persons or corporations whatsoever, to the immediate Jurisdiction, Government or propriety of the soyle of, or within our Province, commonly called the Kings Province, or Narraganset country, authorizing and empowering you, or any three of you, (whereof Edward Cranfield or Edward Randolph aforesaid, shall be of the Quorum,) to examine and enquire

into the severall titles abovementioned, and to summon and call before you any person or persons, and to search Records as you shall find requisite for your information in this behalf, as also to take examinations upon oath, (which the Governours or Magistrates under whose respective Jurisdiction you shall meet, are hereby required and directed to administer unto such person or persons, whom you shall so think fitt to call before you) for clearing of truth in the cases abovementioned; and your proceedings herein, with your opinions upon the matters that shall be examined by you, you are to state and report unto us with all convenient speed, to the end we may upon a finall determination in our Privy Councill, cause impartiall justice to be don and executed where it shall appear to belong. And so we bid you farewell—From our Court at White Hall, the seventh day of Aprill, in the five and thirtieth year of our Reigne. By his Majesties command.

SUNDERLAND.

Aprill 7th, 1683.

A Warrant for the apprehension of William Kelso.

TO HARTFORD CONSTABLES—

Whereas his Majestie Charles the 2d of England, Scotland, France and Ireland, King, Defender of the fayth &c., by his Royall Letters, dated the 30th of September 1682, hath commanded that forthwith, search be made after one Wm. Kelso, whoe of late hath been chirurgeon of the

ship Ann and Hester, whoe is suspected to be guilty of being concerned in the late Rebellion in Scotland, and of the death of the Arch Bishop of St. Andrews, and that the sayd Wm. Kelso be apprehended and sent over to England by the first ship bound thither.

These are therefore, in his Maj'ties name to will and require you forthwith upon sight hereof, to make dilligent search for the sayd Wm. Kelso, throughout your liberties, and on board any ships or vessells in your Harbour, and if you can find him, you are to seize him and in safe custody to convey him to the common Goale in Hartford, there to be secured, till he may be disposed of according to his Ma'ties pleasure in his said Letters expressed ; hereof you are not to fayle at your perill.

JOHN ALLYN, Secretary.

Hartford, June 15th, 1683.

According to this Warrant, we have made search throughout the liberties of this Towne of Hartford, for the sayd Wm. Kelso above mentioned, and cannot find nor hear of him. June 19th, 1683.

By JOHN SHEPARD,
JOHN PRATT,
Constables of Hartford.

Edward Randolph's Letter of Attorney from William Duke Hamilton, &c.

Know all men by these presents, that wee William, Duke of Hamilton, and Ann, Dutchess of Hamilton, and James, Earle of Aran, Son and Heir to the said William and Ann, and Grand-Child to James, Marquess of Hamilton, all of the Kingdome of Scotland, have and hereby do jointly and severally constitute and appoint Edward Randolph of Boston, New England, Esqr, our lawfull Attorney for uss, and in our names and use to ask, and demand and sue for all Lands and Islands, Houses and tenements lying and being in the Colony and Plantation of New England; with full power to sue for and recover all Right, Title and Interest that wee or any of uss have, or may have to the said Lands, Islands, Houses and tenements. And wee do further impower our said Attorney to act in, and manage all matters relating to the recovery and quiet enjoyment of the said Lands and premises. And wee do further impower our said Attorney to make and constitute one or more Attorney or Attorneys, and at pleasure to revoake any or all of them; giving and granting to our said Attorney, and his substitute or substitutes, full power and authority, to do and conclude all other acts and things needfull to be don, in and about the Premises, in as full and as ample manner as if we, or any of us were personally present, ratifieing and confirming all and whatsoever our said Attorney shall doe or cause to be don in and about the premises, by vertue of these presents. In witness whereof, we the said William, Ann and James, have hereunto sett our

hands and Seals, at Hamilton, in Scotland, the sixteen, and London the 30, days of July, 1683.

HAMILTON,

HAMILTON,

ARAN.



In the presence of

JA. HAMILTON,

DA. CRAUFORD,

Witnesses to the Duke and Dutchess Signing.

And in presence of

ROBERT MELDVINN,

WILLIAM HAMILTON,

Witnesses to the Earle of Aran, Signing and Sealing.

The Report of his Majesties Commissioners to King, concerning the Duke Hamilton's claim.

As a further addition to our report, we humbly offer that since the close of your Majesties Commission, Mr. Edward Randolph arriving and signifying his power in behalf of his Grace the Duke of Hamilton, to make claime to the Kings Province or Narragansett country, wee have again convened and summoned so many of the proprietors as could in so short a time assemble, and in their presence and hearing have read a copy of the Dukes Deed, and heard Mr. Randolphs pless and

improvements thereon and finde it takes in some part of the said Province or Narraganset country, and have also received the answer and defence of said proprietors, which we herewith humbly transmitt and submitt to your Majesties consideration, and have also ordered copies of the Dukes deed and proprietors pleas to be sent to the colony of Connecticut, to the end they may have opportunity by the first conveyance to make their answer and defence before your Majestie.

EDWARD CRANFIELD.

November 19th, 1683.

The reply made by the Governor and Council of the Colony of Connecticut to Duke Hamilton's Petition.

That it appears not whether the coppie presented, be drawn from a deed ratified by the great Councill of Plymouth, according to the direction of their Charter, or whether from a rough draught never sealed, the date being but a short time before the dissolution of the Councill. But if the Dukes deed were authentick, the ends aimed at, and propounded in the Kings Charter to the Councill, and the consideration upon which all their grants were founded, viz. propagating the Gospel, and planting colonies to the enlargement of his Majesties empire, have not been pursued by the Duke, neither hath he made any purchase from the natives, nor ever taken possession, or made any legal claime, or notification of his pretentions.

That we suppose the Lord say and Brooks deed or Pattennt, from the Councill of Plymouth, bears date, Anno 1631, (or preceeds the Dukes,) and includes great part of what is claimed by the Duke.

That the Dukes pretentions being not known, his Majestys subjects to the enlargement of his empire, have purchased the natives right, and security of his Majesties Letters Pattents to Connecticut, and incouragement of his Gracious Letters to the Colony, the Country hath been planted, and with great expence improved, and that his Majesties subjects have been engaged in and undergone a chargable and bloody warr, to secure their right and expell the Heathen, the Duke the mean while giving no aid nor any ways concerned.

That the Dukes title, if his deed had been good, failes by the Statute of Limitation, 21, Jac. 16, he not pursueing his title in twenty years.

December, 1683.

A Letter from the Right Hon. the Lords of the Privy Council, with information of the death of King Charles 2d, &c.

After our hearty commendations :—It haveing pleased Almighty God, this day to take to his mercy, out of this troublesome life, our late Sovereigne Lord, King Charles of most blessed memory, and thereupon his late Majesties only brother and heir King James the second, being here proclaimed, wee have thought fitt hereby to signifie

the same unto you, with directions that with the assistance of the Councill, and other the principall officers and inhabitants of Connecticott, you proclaime his most sacred Majestie according to the forms here inclosed, with the solemnities and ceremonies requisite on the like occasions, and we do further transmitt unto you, his Majesties most Gracious Proclamation, signifying his Majesties pleasure that all men being in office of Government at the desease of the late King, his Majesties most dear, and most intirely beloved brother, shall so continue as duering his late Majesties life, untill his Majesties pleasure be further known; which we do in like manner will and require you forthwith to cause to be proclaimed and published in the chief place or places within your Jurisdiction, and so not doubting of your ready compliance herein, wee bid you heartily farewell.

From the Councill Chamber in White Hall, the sixth day of February, 1684.

Your very loving friends,

M. CANT,	DARTMOUTH,
GUILFORD,	J. ERNLE,
PETERBOROW,	HALLIFAX, C. P. S.
CERAVEN,	BEAUFORT,
AILESBURY,	HUNTINGDON,
MIDDLETON,	J. BRIDGEWATER,
ROCHESTER,	L. JENKINS,
CHESTERFIELD,	JOHN NICHOLAS,
CLARENDON.	

To our very loveing friends, the Governour of his Majesties Colony of Connecticott, in New England, in America, pr William Lord.

A Letter from Sir Lionel Jenkins, one of his Majesties Secretaries of State.

WHITE HALL, MARCH 25th, 1684.

SIR—His Majesty having thought fitt to issue out his Royall Proclamation, forbidding his subjects to enter into the service of Forreign Princes and States, and other prohibitions and directions therein contained, relating to the newtrality that he thinks fit to be observed by his subjects, in this time of hostility between his neighbour Princes; I am commanded by his Majestie to send you the enclosed copy, and to signifie his pleasure that it be duly and speedily published within his Majesties Colony under your Government, and that you take care that it be punctually observed and executed; whereof his Majesty will expect from you an account which I shall desire you to transmitt to me with the first conveniency.

So I remain Sir, your very Humble Servant,
L. JENKINS.

To the Governour of his Majesties Colony of Connecticut, in New England, in America.

A Generall Court in Hartford, the second Thursday of September, being 9th day, 1652.

The Estates and persons of the severall Townes, presented to this Court, were as followeth:—

Hartford,	£19,733 19s.
Windsor,	14,093 00
Wethersfield,	11,499 00
Farmington,	5,164 00

50,489 19

Saybrook,	£3,630 00s.
Stratford,	7,040 19
Fayrfield,	8,850 15

19,521 14

50,489 10

Total, £70,011 13s.

A Generall Court held at Hartford, October 9th, 1684.

The Persons and Lists of the Estates of the Colony.

NUMBER OF TAXABLE PERSONS.

250	Hartford,	£16,730 00s.
65	Stonington,	5,451 00
43	Kenilworth,	2,386 00
120	Stratford,	7,892 00
184	Fayrfield,	10,302 00
61	Wallingford,	2,967 00
97	Stanford,	4,855 00

88	Norwake,	£5,145 00s.
62	Woodbury,	2,580 00
96	Farmington,	6,315 00
204	Wethersfield,	12,715 00
240	Windsor,	14,045 00
86	Saybrook,	5,125 00
268	New Haven,*	13,127 00
96	Guilford,	6,208 00
50	Branford,	2,911 00
53	Lyme,	3,563 00
50	Greenwich,	2,364 00
130	Midleton,	5,279 00
150	Milford,	9,205 00
115	Norwich,	6,265 00
43	Haddum,	1,828 00

2551	Total,	£147,258 00 or \$490,860.
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Copy of an Address to his Majesty, James the second.

To the most high and mighty Prince, James the second, by the Grace of God, of England, Scotland, France and Ireland, Defender of the Fayth, Supreme Lord of the Plantation and Colony of Conecticut in New England, and all other your Ma'ties Territories and Dominions.

The humble address of your Ma'ties Governo'r

* New Haven and the towns which follow, were a separate and distinct Colony until 1664, when they became united with the Colony of Connecticut.

and Councill of your Colony of Conecticut in New England, Humbly sheweth :

That your Ma'ties most Loyall, and dutifull subjects haveing received from the Right Hon'ble Lords a Letter dated at White Hall, sixth day of February, 1684, signifying the death of o'r late Sovraigne Charles the second of blessed memory, which we doe heartily condole, as allso an order for the proclamation of your Royall Ma'tie, King of England, Scotland, France and Ireland, Defender of the Fayth &c., which we have readily and heartily attended and proclaymed this day in a solemne manner in the head towns of our Colony, with acclamations of joy and affection, followed with o'r prayers to Almighty God, (by whom Kings Reigne,) to bless your Ma'tie with long life and a happy Reigne, for the Glory of God, and the good of all your Ma'ties subjects.

Humbly beseeching your most excellent Ma'tie to grant the benigne shines of your favour to this your poore Colony of Conecticut, in the continuance of the liberties and properties granted to us by o'r late Sovereaine Charles the second, of blessed memorie, and that we may be encouraged in our small beginings, and live under your Royall shadow, a quiet and peaceable life, in all Godlyness and honesty, who are your Ma'ties Loyall, dutifull and obedient subjects, the Governo'r and Councill of your Ma'ties Colony of Conecticut.

ROBERT TREAT, Gov'r.

By order of the Councill,

JOHN ALLYN, Secret'ry.

Hartford, Connecticutt, Aprill 22d, 1685.

HON'BLE SR—

The Right Hon'ble Lords of the Councils Letter of the 6th of February past, we received by our Governo'r upon the 19th day of this month, who thereupon repayred to this place, and called his Councill forthwith, who according to their Hon'o'rs direction, ordered that his Ma'tie, James the second be proclaymed King of England, Scotland, France and Ireland, which was accordingly attended, and order is taken that his Ma'tie be in like manner proclaymed in the other country towns of this Colony forthwith. Sr, we take this opportunity to return our hearty thanks to the Right Hon'ble Lords, for their respect and favour to us in granting us their orders and direction in the afoars'd great affayre, requesting their Honours good affection may be continued to us; we request you would be pleased to informe their Lordships of our ready compliyance, allso that you would so far favour us as to present the inclosed address to o'r Sovereigne Lord, King James the second, and represent us to his Ma'tie, his most Loyall and dutifull subjects.

Honourable Sr, we are your Hono'rs most affectionate Friends and Humble Servants, the Gov'r and Councill of the Colony of Connecticut.

ROBERT TREAT, Gov'r.

Pr order of the Councill,

JOHN ALLYN Sec'ry.

Hartford, April 22d, 1685.

For the Hon'ble Sr Lyonell Jenkins—at White Hall, Humbly presented.

A Letter from King James 2d, relating to an Imposition on Sugar and Tobacco, and concerning the Duke of Monmouth, and Earll of Argyle.

JAMES R.

Trusty and well beloved, wee greet you well, as we cannot doubt of the ready and dutifull assurance and expressions of Loyalty and obedience from our good subjects under your Government, since our accession to the Crown, so we shall at all times extend our Royall care and Protection to them in the preservation of their rights, and in the defence and security of their persons and Estates, which we think fitt that you signifie unto the inhabitants of our Colony, whereof you are Governour. As also that upon the meeting of our Parliament they have for the repairs of our navy, and for providing stores for our navy, and ordnance and other important occasions chearfully and unanimously given and granted unto us an ayde and assistance to be raised and levied upon all Tobacco and Sugar to be imported into this our Kingdome, according to such rates, and duering such time, and in such manner and form as by the said act herewith sent you is more particularly set forth, which imposition, as it is not laid on the Planter or Merchant, but only on the Retailer, consumptioner or Shopkeeper, we are well assured will not be inconvenient or burthensome to our subjects in America. But that on the contrary it will be of great benefitt, credit and advantage to them, by the enabling us the better to defend and protect the navigation of this Kingdom, and the trade of our Plantations, which cannot butt be of

great satisfaction and security to the inhabitants of that our Colony.

We have likewise thought fitt to acquaint you for the information of our subjects, under your Government, that the peace and quiett of our Kingdom of Scotland has received some disturbance from the Traiterous practices and rebellion of the late Earle of Argyle, by his landing in the west Highlands, with men and arms, but that it has pleased God to deliver that Traitor, and his rebellious followers into our hands, so that upon seizing his ships and arms and materialls of warr, and defeating the multitude he had gathered together ; he is now secured in our Castle of Edinburgh in order to his execution, whereby the peace of that Kingdom is perfectly re-establisht, and our forces there, ready and at leisure to receive and obey such orders as our service shall require elsewhere.

Wee are likewise pleased to inform you, that the late Duke of Monmouth, since attainted of Treason is in the same Traiterous and rebellious manner landed in the western parts of this kingdom, and with a number of men of the lowest degree, and many of them unarmed, has given disquiet to those parts, but by the care we have taken in sending thither a sufficient number of our standing forces, of horse, foot, and Dragoons, who are now in pursuit of him, we are expecting to hear of the totall defeat of that traitor and his accomplices, and we being at the same time perfectly assured of the constant and undoubted fidelity of the Nobility and Gentry, as well as of the militia of this kingdom, and having for the better confirmation of the peace and tranquility of our dominions, ordered such other new levys of horse, foot, and dragoons, as will be requisite. We can-

not faile by the blessing of God, of a happy issue and success in our affairs. All which we have thought fitt to intimate unto you for the preventing any false rumours or reports, which might be spread amongst our subjects at that distance, by the malicious and traiterous insinuations of ill men, and so we bid you farewell.

Given at our Court, at White Hall, the 26th day of June, 1685, in the first year of our Reigne.

By his Majesties Command,

SUNDERLAND.

To our trusty and well beloved, the Governour of our colony of Connecticott, in New England, in America.

Copy of an Address to his Majesty James II.

To the most high and mighty Prince James the second, of England, Scotland, France and Ireland, King defender of the Faythe, &c.—

The humble petition and addresse of your Loyal subjects the Governour and company of your Ma'ties colony of Connecticut, humbly sheweth—

That whereas we are informed that there is a Quowarranto emitted against this your Ma'ties colony of Connecticut, not yet come to our sight, we have taken this opportunity to prostrate ourselves upon our bended knees at your Ma'ties feet, most humbly beging your Ma'tie out of your great compassion and princely Grace, freely to pardon and remit all such mistakes or faylures in

our management of that power and trust of Government comitted to us, (which, on the first intimation we are ready to reforme,) in and by his late Ma'tie of blessed memory, Charles the second, by his Royall Grant to us, bearing date Aprill twenty third, in the fourteenth year of his Reigne, and graciously continued by your Ma'ties Proclamation, have proceeded rather from want of a right understanding in law then otherwise. And that your Ma'tie would Graciously be pleased to continue this your Ma'ties colony, happy in the full and free injoyment of our liberties and properties as formerly; and by your Royall command recall the writ of Quowaranto forementioned.

For may it please your Ma'tie though we are a poore, yet a Loyall people, very unwilling to do any thing which may be unpleasant to our Sovereigne, for we are resolved through assistance of Almighty God, to approve ourselves your Ma'ties dutifull subjects, as we have been to your Ma'ties Royall predecessors, which (if we mistake not) to our comendation was asserted by our late Sovereigne your Ma'ties most dear brother.

Dread Sovereigne, we humbly beg and earnestly beseech your Ma'tie to continue us an intire Province or Government within our known bounds and colony limits, which we conceive will be most for the profit and health of your Ma'ties subjects here inhabiting, and the contrary no doubt will be very prejudiciall to them, which may easily be evinced by good reason, and therefore hope to obteyne your Ma'ties favour and protection therein.

Great Sr, we desire and humbly pray your Ma'ties favour, that we may still be confirmed in,

and enjoy our Christian Liberties without any interruption from any other.

Most Gracious Sovraigne, we beseech your Ma'tie we may find grace in your sight and receive a gracious answer to this our humble addresse, that we may experiance that in the light of the Kings countenance is life, and his favour is as the cloud of the latter reigne, and we shall not cease to pray the God of heaven, who is the King of Kings, to save, bless and prosper your Ma'tie.

We are your Ma'ties Loyall and dutifull subjects, the Governor and Company of your colony of Conecticut.

J. A., S.

*A Letter from the Hon. Ri: Normansell, with
a writ of Quo-Warranto.*

London, October the 26th, 1686.

GENTLEMEN:—

This day was delivered to my hands (as I am secondary to the Sheriffs of London,) a Writ of Quo-Warranto, issueing out of the Crown office of the Court of Kings Bench, at Westminster, against you, the Governour and Company of the English Colony of Conecticut, in New England, in America, requiring your appearance before his Majestie, wheresoever he shall then be in England, in eight days of the purification of the blessed virgin Mary, to answer unto our Lord the King, by what warrant you claime to have and use divers liberties, priviledges and franchises, within

172 *Demand of Charter of Connecticut.*

the said Colony (viz.) in the Parish of St. Michael, Cornhill London, of which you are impeacht. And that you may not be ignorant of any part of the contents of the said writt, I have enclosed, sent you a true copee of the same, (in his Majesties name,) requiring your appearance to it, in default whereof the liberties, priviledges and franchises you claime, and now enjoy, will be forfeited to the King, and your Charter made void—of this Gent, please to take notice. From your Humble Servant, (unknown)

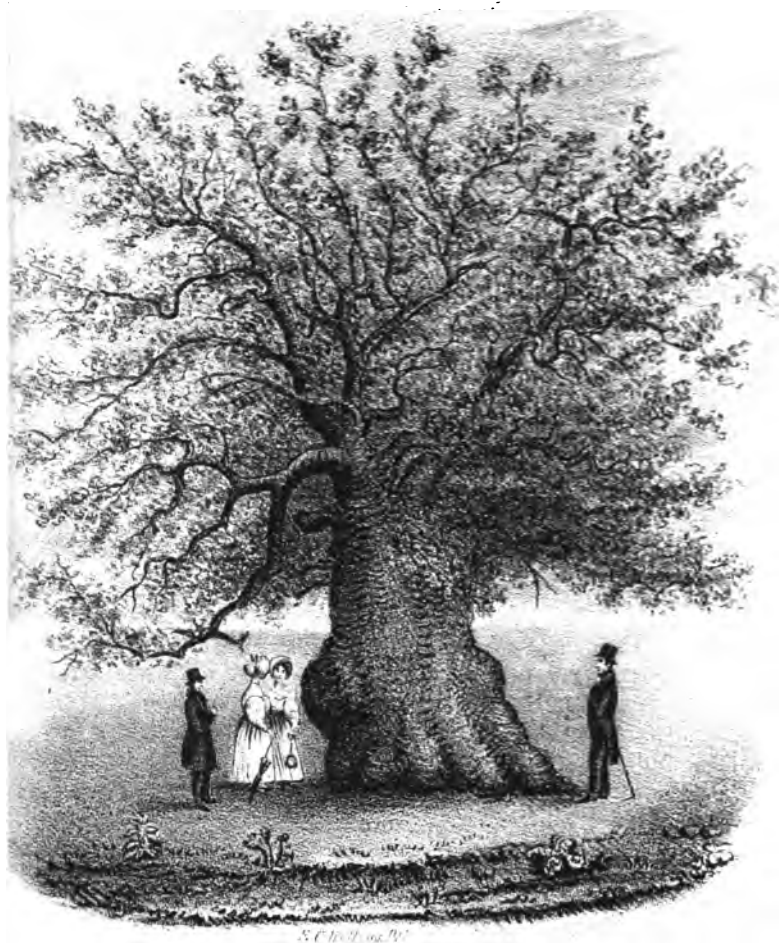
RI: NORMANSELL.

These to the Governour and Company of the English Colony of Connecticutt, in New England, in America.

At a meeting of the Generall Court held at Hartford, 1687.

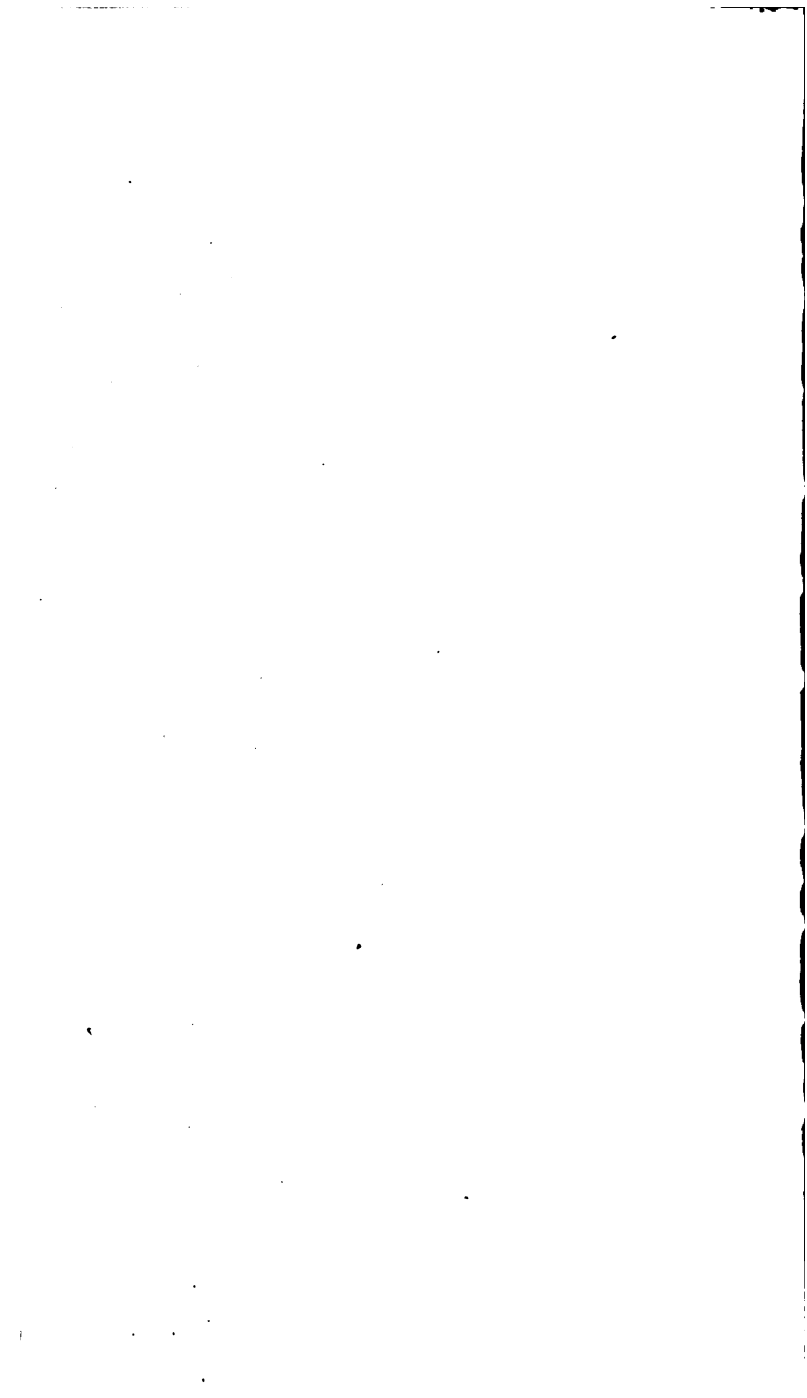
Sundry of the Court desired that the Patent or Charter might be brought into the Court, the Secretary sent for it and informed the Governo'r and Court that he had the Charter and shewed it to the Court, and the Gov'r bid him put it into the Box again and lay it on the Table and leave the Key in the Box, which he did forthwith.*

* Although not particularly mentioned, this appears to have been the time when the Charter of Connecticut was seized, conveyed away and secreted. Sir Edmund Andros and suit, guarded by a body of regular troops having arrived in Hartford, Sir Edmund peremptorily demanded the surrender of the Charter to him. The Governor of the Colony,



THE CHARTER OAK.

Lith. of D. W. Kellogg & Co. Hartford, Ct.



OCTOBER 31, 1687.

His Excellency Sir Edmund Andross, Knt, Capt. Generall and Govn'r of his Majesties Territorie and Dominions in New England, by order from his Ma'tie James the second, King of England, Scotland, France and Ireland, the 31 of October, 1687, took into his own hands the Government of this Colony of Connecticott, it being by his Ma'tie annexed to the Massachusetts and other Colonys under his Excellencies Government.—
Finis.

fearing if he surrendered it, one less liberal would be given the Colony, or rather none at all, which caused much debate and kept in suspense until evening, and lighting of candles. At a concerted signal, the lights were instantly extinguished, and Capt. William Wadsworth of Hartford, a bold and daring man, (whose posterity reside in this city) instantly seized the Charter, carried off and secreted it in the hollow of a large Oak Tree, in front of the dwelling house of the Hon Samuel Wyllys in this city. And though about 150 years has expired since this event, the Charter Oak, as it has ever since been called, is yet standing and in a flourishing condition, and is often visited, by strangers and travelers as having been the safe receptacle of the old Charter.—The premises are now owned and occupied by a Mr. Stephen Bulkley, who loving his leisure, more than to gratify the curiosity of strangers, forbids their trespasses upon his lands to view the ancient Oak. After the Charter was safe, the candles were immediately re-lighted, but the Charter was not to be found. Sir Edmund assumed the administration of the Government of the Colony, which he continued to administer for nearly two years in an oppressive manner, until the accession to the English Throne of William and Mary, in 1688, and the seizure and confinement of Sir Edmund and his Council by the people of Boston, which changed the complexion of affairs in the Colony. And upon the 9th day of May, 1689, Gov. Treat and the former Magistrates, resumed the Government of the Colony under the *Charter*, which had securely remained in the tree until this time, with no other injury than a very little discoloration—which is now in this office nearly as perfect as when first sent to the Colony, in 1662—a copy of which is hereunto annexed.

The Charter of the ancient Colony of Connecticut.

Charles the second, by the grace of GOD, King of England, Scotland, France and Ireland, defender of the faith, &c. To all to whom these presents shall come, GREETING.

Whereas by the several navigations, discoveries and successful plantations of divers of our loving subjects of this our realm of *England*, several lands, islands, places, colonies and plantations have been obtained and settled in that part of the continent of *America*, called *New England*, and thereby the trade and commerce there, hath been of late years, much increased: And whereas we have been informed by the humble petition of our trusty and well beloved John Winthrop, John Mason, Samuel Wyllys, Henry Clarke, Matthew Allyn, John Tapping, Nathan Gold, Richard Treat, Richard Lord, Henry Wolcott, John Talcott, Daniel Clarke, John Ogden, Thomas Wells, Obadiah Bruen, John Clarke, Anthony Hawkins, John Deming, and Matthew Camfield, being persons principally interested in our colony or plantation of *Connecticut*, in *New England*, that the same colony, or the greatest part thereof was purchased and obtained for great and valuable considerations, and some other part thereof gained by conquest, and with much difficulty, and at the only endeavours, expence, and charges of them and their associates, and those under whom they claim, subdued and improved, and thereby become a considerable enlargement and addition of our dominions and interest there.

Now KNOW YE, That in consideration thereof, and in regard, the said colony is remote from other the *English* plantations in the places aforesaid,

and to the end the affairs and business which shall from time to time happen to arise concerning the same, may be duly ordered and managed, we have thought fit, and at the humble petition of the persons aforesaid, and are graciously pleased to create and make them a body politic and corporate, with the powers and privileges herein after mentioned; and accordingly our will and pleasure is, and of our especial grace, certain knowledge, and mere motion, we have ordained, constituted and declared, and by these presents, for us, our heirs and successors, do ordain, constitute and declare, that they the said John Winthrop, John Mason, Samuel Wyllys, Henry Clarke, Matthew Allyn, John Tapping, Nathan Gold, Richard Treat, Richard Lord, Henry Wolcott, John Talcott, Daniel Clarke, John Ogden, Thomas Wells, Obadiah Bruen, John Clarke, Anthony Hawkins, John Deming, and Matthew Camfield, and all such others as now are, or hereafter shall be admitted and made free of the company and society of our colony of *Connecticut*, in *America*, shall from time to time, and for ever hereafter, be one body corporate and politic, in fact and name, by the name of Governour and company of the *English* colony of *Connecticut* in *New England*, in *America*; and that by the same name, they and their successors shall and may have perpetual succession, and shall and may be persons able and capable in the law, to plead and be impleaded, to answer and to be answered unto, to defend and be defended in all and singular suits, causes, quarrels, matters, actions and things, of what kind or nature soever; and also to have, take, possess, acquire, and purchase lands, tenements, or hereditaments, or any goods, or chattels, and the same to lease, grant, demise, alien, bargain, sell, and dispose of, as other our liege

people of this our realm of *England*, or any other corporation or body politic within the same may lawfully do.

And further, That the said Governour and company, and their successors, shall and may for ever hereafter have a common seal, to serve and use for all causes, matters, things, and affairs whatsoever, of them and their successors, and the same seal, to alter, change, break, and make new from time to time, at their wills and pleasures, as they shall think fit.

And further, We will and ordain, and by these presents, for us, our heirs and successors, do declare and appoint, That for the better ordering and managing of the affairs and business of the said company and their successors, there shall be one Governour, one Deputy-Governour, and twelve Assistants, to be from time to time constituted, elected and chosen out of the freemen of the said company for the time being, in such manner and form as hereafter in these presents is expressed, which said officers shall apply themselves to take care for the best disposing and ordering of the general business and affairs of and concerning the land and hereditaments herein after mentioned to be granted, and the plantation thereof, and the government of the people thereof: And for the better execution of our royal pleasure herein, we do for us, our heirs, and successors, assign, name, constitute and appoint the aforesaid John Winthrop to be the first and present Governour of the said company, and the said John Mason, to be the Deputy-Governour, and the said Samuel Wyllys, Matthew Allyn, Nathan Gold, Henry Clarke, Richard Treat, John Ogden, John Tapping, John Talcott, Thomas Wells, Henry Wolcott, Richard Lord and Daniel Clarke, to be the twelve present

Assistants of the said company, to continue in the said several offices respectively, until the second Thursday, which shall be in the month of October now next coming.

And further, We will, and by these presents for us, our heirs, and successors, do ordain and grant, That the Governour of the said company for the time being, or in his absence by occasion of sickness, or otherwise by his leave or permission, the Deputy-Governour for the time being, shall and may from time to time upon all occasions, give order for the assembling of the said company, and calling them together to consult and advise of the business and affairs of the said company, and that for ever hereafter, twice in every year, *That is to say*, on every second Thursday in October, and on every 2d Thursday in May, or oftener in case it shall be requisite; the assistants, and freemen of the said company, or such of them (not exceeding two persons from each place, town or city) who shall be from time to time thereunto elected or deputed by the major part of the freemen of the respective towns, cities, and places for which they shall be elected or deputed, shall have a general meeting, or assembly, then and there to consult and advise in and about the affairs and business of the said company: and that the Governour, or in his absence the Deputy-Governour of the said company for the time being, and such of the assistants and freemen of the said company as shall be so elected or deputed, and be present at such meeting or assembly, or the greatest number of them, whereof the Governour or Deputy-Governour, and six of the assistants, at least to be seven, shall be called the general assembly, and shall have full power and authority to alter and change their days and times of meeting, or general assem-

blies, for electing the governour, deputy-governour, and assistants, or other officers, or any other courts, assemblies or meetings, and to choose, nominate and appoint such and so many other persons as they shall think fit, and shall be willing to accept the same, to be free of the said company, and body politic, and them into the same to admit; and to elect and constitute such officers as they shall think fit and requisite for the ordering, managing and disposing of the affairs of the said governour and company and their successors.

And we do hereby for us, our heirs and successors, establish and ordain, That once in a year for ever hereafter, namely, the said second Thursday of May, the governour, deputy-governour, and assistants of the said company, and other officers of the said company, or such of them as the said general assembly shall think fit, shall be in the said general court and assembly to be held from that day or time, newly chosen for the year ensuing, by such greater part of the said company for the time being, then and there present; and if the governour, deputy-governour, and assistants by these presents appointed, or such as hereafter be newly chosen into their rooms, or any of them, or any other the officers to be appointed for the said company shall die, or be removed from his or their several offices or places before the said general day of election, whom we do hereby declare for any misdemeanor or default, to be removable by the governour, assistants, and company, or such greater part of them in any of the said public courts to be assembled, as is aforesaid, that then and in every such case, it shall and may be lawful to and for the governour, deputy-governour, and assistants, and company aforesaid, or such greater part of them so to be assembled, as is

aforesaid, in any of their assemblies, to proceed to a new election of one or more of their company, in the room or place, rooms or places of such governour, deputy-governour, assistant, or other officer or officers so dying or removed, according to their discretions, and immediately upon and after such election or elections made of such Governour, deputy-governour, assistant or assistants, or any other officer of the said company, in manner and form aforesaid, the authority, office and power before given to the former governour, deputy-governour, or other officer and officers so removed, in whose stead and place new shall be chosen, shall as to him and them, and every of them respectively cease and determine.

Provided also, And our will and pleasure is, That as well such as are by these presents appointed to be the present governour, deputy-governour, and assistants of the said company, as those that shall succeed them, and all other officers to be appointed and chosen, as aforesaid, shall, before they undertake the execution of their said offices and places respectively, take their several and respective corporal oaths for the due and faithful performance of their duties in their several offices and places, before such person or persons as are by these presents hereafter appointed to take and receive the same; That is to say, The said John Winthrop, who is herein before nominated and appointed the present governour of the said company, shall take the said oath before one or more of the masters of our court of chancery for the time being, unto which master of chancery, we do by these presents give full power and authority to administer the said oath to the said John Winthrop accordingly: and the said John Mason, who is herein before nom-

inated and appointed the present deputy governour of the said company, shall take the said oath before the said John Winthrop, or any two of the assistants of the said company, unto whom we do by these presents give full power and authority to administer the said oath to the said John Mason accordingly: and the said Samuel Wyllys, Henry Clarke, Matthew Allyn, John Tapping, Nathan Gold, Richard Treat, Richard Lord, Henry Wolcott, John Talcott, Daniel Clarke, John Ogden, and Thomas Wells, who are herein before nominated and appointed the present assistants of the said company, shall take the oath before the said John Winthrop, and John Mason, or one of them, to whom we do hereby give full power and authority to administer the same accordingly. And our further will and pleasure is, That all and every governour, or deputy-governour to be elected and chosen by virtue of these presents, shall take the said oath before two or more of the assistants of the said company for the time being, unto whom we do by these presents give full power and authority to give and administer the said oath accordingly; and the said assistants, and every of them, and all and every other officer or officers to be hereafter chosen from time to time, to take the said oath before the governour, or deputy-governour for the time being, unto which governour or deputy-governour, we do by these presents give full power and authority to administer the same accordingly.

And further, Of our more ample grace, certain knowledge, and mere motion, we have given and granted, and by these presents for us, our heirs and successors, do give and grant unto the said governour and company of the English colony of Connecticut, in New England, in America, and to

every inhabitant there, and to every person and persons trading thither, and to every such person and persons as are or shall be free of the said colony, full power and authority from time to time, and at all times hereafter, to take ship, transport and carry away for and towards the plantation and defence of the said colony, such of our loving subjects and strangers, as shall or will willingly accompany them in, and to their said colony and plantation, except such person and persons, as are or shall be therein restrained by us, our heirs and successors; and also to ship and transport all, and all manner of goods, chattels, merchandizes, and other things whatsoever that are or shall be useful or necessary for the inhabitants of the said colony, and may lawfully be transported thither: Nevertheless, not to be discharged of payment to us, our heirs and successors, of the duties, customs and subsidies which are or ought to be paid or payable for the same.

And further, Our will and pleasure is, and we do for us, our heirs and successors, ordain, declare, and grant unto the said governour and company, and their successors, that all, and every the subjects of us, our heirs, or successors, which shall go to inhabit within the said colony, and every of their children, which shall happen to be born there, or on the seas in going thither, or returning from thence, shall have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of us, our heirs or successors, to all intents, constructions and purposes whatsoever, as if they and every of them were born within the realm of England; and we do authorize and impower the governour, or in his absence the deputy-governour for the time being, to appoint two or more of the said assistants at any of

their courts or assemblies to be held as aforesaid, to have power and authority to administer the oath of supremacy and obedience to all and every person and persons which shall at any time or times hereafter go or pass into the said colony of Connecticut, unto which said assistants so to be appointed as aforesaid, we do by these presents give full power and authority to administer the said oath accordingly.

And we do further, of our special grace, certain knowledge, and mere motion, give and grant unto the said governour and company of the English colony of Connecticut, in New England, in America, and their successors, that it shall and may be lawful to and for the governour, or deputy-governour, and such of the assistants of the said company for the time being as shall be assembled in any of the general courts aforesaid, or in any courts to be especially summoned or assembled for that purpose, or the greater part of them, whereof the governour, or deputy-governour, and six of the assistants to be always seven, to erect and make such judicatories, for the hearing and determining of all actions, causes, matters and things happening within the said colony or plantation, and which shall be in dispute, and depending there, as they shall think fit, and convenient, and also from time to time to make, ordain and establish all manner of wholesome, and reasonable laws, statutes, ordinances, directions and instructions, not contrary to the laws of this realm of England, as well for settling the forms and ceremonies of government, and magistracy, fit and necessary for the said plantation, and the inhabitants there, as for naming and stiling all sorts of officers, both superior and inferior, which they shall find needful for the government and

plantation of the said colony, and the distinguishing and setting forth of the several duties, powers and limits of every such office and place, and the forms of such oaths not being contrary to the laws and statutes of this our realm of England, to be administered for the execution of the said several offices and places as also for the disposing and ordering of the election of such of the said officers as are to be annually chosen, and of such others as shall succeed in case of death or removal, and administering the said oath to the new elected officers, and granting necessary commissions, and for imposition of lawful fines, mulcts, imprisonment or other punishment upon offenders and delinquents according to the course of other corporations within this our kingdom of England, and the same laws, fines, mulcts and executions, to alter, change, revoke, annul, release, or pardon under their common seal, as by the said general assembly, or the major part of them shall be thought fit, and for the directing, ruling and disposing of all other matters and things, whereby our said people inhabitants there, may be so religiously, peaceably and civilly governed, as their good life and orderly conversation may win and invite the natives of the country to the knowledge and obedience of the only true GOD, and the Saviour of mankind and the Christian faith, which in our royal intentions, and the adventurers free possession, is the only and principal end of this plantation; willing, commanding and requiring, and by these presents for us, our heirs and successors, ordaining and appointing, that all such laws, statutes and ordinances, instructions, impositions and directions as shall be so made by the governour, deputy-governour, and assistants as aforesaid, and published in writing under their

common seal, shall carefully and duly be observed, kept, performed, and put in execution, according to the true intent and meaning of the same, and these our letters patents, or the duplicate, or exemplification thereof, shall be to all and every such officers, superiors and inferiors from time to time, for the putting of the same orders, laws, statutes, ordinances, instructions and directions in due execution, against us, our heirs and successors, a sufficient warrant and discharge.

And we do further for us, our heirs and successors, give and grant unto the said governour and company, and their successors, by these presents, that it shall and may be lawful to, and for the chief commanders, governours and officers of the said company for the time being, who shall be resident in the parts of New England hereafter mentioned, and others inhabiting there, by their leave, admittance, appointment, or direction, from time to time, and at all times hereafter, for their special defence and safety, to assemble, martial-array, and put in warlike posture the inhabitants of the said colony, and to commissionate, empower, and authorize such person or persons as they shall think fit, to lead and conduct the said inhabitants, and to encounter, expulse, repel and resist by force of arms, as well by sea as by land, and also to kill, slay, and destroy by all fitting ways, enterprizes, and means whatsoever, all and every such person or persons as shall at any time hereafter attempt or enterprize the destruction, invasion, detriment, or annoyance of the said inhabitants or plantation, and to use and exercise the law martial in such cases only as occasion shall require; and to take or surprize by all ways and means whatsoever, all and every such person and persons, with their ships, armour, ammunition and other goods of such

as shall in such hostile manner invade or attempt the defeating of the said plantation, or the hurt of the said company and inhabitants, and upon just causes to invade and destroy the natives, or other enemies of the said colony.

Nevertheless, Our will and pleasure is, and we do hereby declare unto all christian kings, princes, and states, That if any persons which shall hereafter be of the said company or plantation, or any other by appointment of the said governour and company for the time being, shall at any time or times hereafter rob or spoil by sea or by land, and do any hurt, violence, or unlawful hostility to any of the subjects of us, our heirs or successors, or any of the subjects of any prince or state being then in league with us, our heirs or successors, upon complaint of such injury done to any such prince or state, or their subjects, we, our heirs and successors will make open proclamation within any parts of our realm of England fit for that purpose, that the person or persons committing any such robbery or spoil, shall within the time limited by such proclamation, make full restitution or satisfaction of all such injuries done or committed, so as the said prince, or others so complaining may be fully satisfied and contented; and if the said person or persons who shall commit any such robbery or spoil shall not make satisfaction accordingly, within such time so to be limited, that then it shall and may be lawful for us, our heirs and successors, to put such person or persons out of our allegiance and protection; and that it shall and may be lawful and free for all princes or others to prosecute with hostility such offenders, and every of them, their, and every of their procurors, aiders, abettors and counsellors in that behalf.

Provided also, And our express will and pleas-

are is, and we do by these presents for us, our heirs, and successors, ordain and appoint, That these presents shall not in any manner hinder any of our loving subjects whatsoever to use and exercise the trade of fishing upon the coast of New England, in America, but they and every or any of them shall have full and free power and liberty to continue, and use the said trade of fishing upon the said coast, in any of the seas thereunto adjoining, or any arms of the seas, or salt water rivers where they have been accustomed to fish, and to build and set up on the waste land belonging to the said colony of Connecticut, such wharves, stages, and work-houses as shall be necessary for the salting, drying and keeping of their fish to be taken, or gotten upon that coast, any thing in these presents contained to the contrary notwithstanding.

And know ye further, That we, of our abundant grace, certain knowledge, and mere motion, have given, granted, and confirmed, and by these presents for us, our heirs and successors, do give, grant and confirm unto the said governour and company, and their successors, all that part of our dominions in New England in America, bounded on the east by Narraganset River, commonly called Narraganset Bay, where the said river falleth into the sea; and on the north by the line of the Massachusetts plantation; and on the south by the sea; and in longitude as the line of the Massachusetts colony, running from east to west, that is to say, from the said Narraganset Bay on the east, to the south sea on the west part, with the islands thereunto adjoining, together with all firm lands, soils, grounds, havens, ports, rivers, waters, fishings, mines, minerals, precious stones, quarries, and all and singular other commodities, jurisdic-

tions, royalties, privileges, franchises, pre-eminences and hereditaments whatsoever, within the said tract, bounds, lands and islands aforesaid, or to them or any of them belonging.

TO HAVE AND TO HOLD the same unto the said governour and company, their successors and assigns for ever, upon trust, and for the use and benefit of themselves and their associates, freemen of the said colony, their heirs and assigns, to be holden of us, our heirs and successors, as of our manor of East Greenwich, in free and common soccage, and not in capite, nor by knights service, yielding and paying therefore to us, our heirs and successors, only the fifth part of all the ore of gold and silver which from time to time, and at all times hereafter, shall be there gotten, had, or obtained, in lieu of all services, duties and demands whatsoever, to be to us, our heirs, or successors therefore, or thereout rendered, made, or paid.

And lastly, We do for us, our heirs and successors, grant to the said governour and company, and their successors, by these presents, That these our letters patents, shall be firm, good and effectual in the law, to all intents, constructions, and purposes whatsoever, according to our true intent and meaning herein before declared, as shall be construed reputed and adjudged most favourable on the behalf, and for the best benefit, and behoof of the said governour and company, and their successors; although express mention of the true yearly value or certainty of the premises, or any of them, or of any other gifts or grants by us, or by any of our progenitors, or predecessors, heretofore made to the said governour and company of the English colony of Connecticut, in New England, in America, aforesaid, in these presents is not made, or any statute, act, ordinance, provis-

ion, proclamation, or restriction heretofore had, made, enacted, ordained, or provided, or any other matter, cause, or thing whatsoever, to the contrary thereof, in any wise notwithstanding.

In witness whereof, We have caused these our letters to be made patents. Witness ourself at Westminster, the three and twentieth day of April, in the fourteenth year of our reign. [1662.]

By writ of Privy Seal.

HOWARD.

Copy of an Address to King William.

To the most high and mighty Prince William, by the Grace of God, of England, Scotland, France and Ireland, King, defender of the fayth, &c.

May it please your most excellent Ma'tie, we your dutifull and loyall subjects of your Colony of Connecticut in New England, doe most heartily rejoyce in, and congratulate your Ma'ties happy access unto the imperiall Throne of your Kingdomes and Territories thereunto belonging, and have long since, upon the joyfull tydings, proclaymed your Ma'tie in the Colony, together with your Royall Consort, King and Queen of the said Kingdomes and Territories* in whose names we have ever since governed your Ma'ties good sub-

* A General Court held at Hartford June 13th, 1689, by special order of the Governour—William, Prince of Orange, and Mary, Princess of Orange, were proclaimed King and Queen of England this day.

jects here, haveing a Charter granted by King Charles the second of happy memory, and by reason of o'r not so rightly understanding the methods used in reference to the procedures against Charters under the late King, are brought under som uneasinesse, though we never resigned o'r Charter, nor was it condemned.

We doe therefore intreat your Ma'ties favour, to confirm in the injoyment and improvement of the liberties, privileges and properties granted in our charter, which we hope your Ma'tie of your princely grace and wisdom, will see meet to continue to vs.

And your Petitioners shall ever pray for your Ma'ties long and prosperous Reigne and the increase of your glory.

ROBERT TREAT, Gov'r.

Pr. order of the Councill,

JOHN ALLYN, Sec'ry.

Dated in Hartford, on Connecticut, in New England, Jan'y 3d, 1690.

The case concerning the Charter of the Colony of Connecticut, by the Attorney and Solicitor General and others.

The Corporation of Connecticott Colony, in New England, not having under their publick Seal surrendered their Charter, there being no surrender upon record, only when it was proposed to them by the late King James, that they should take their choice, whether they would be under the

Governour of New York or of Boston, they humbly prayed that they might still enjoy the privilege of choosing their own Governour according to their Charter. But if the King was resolved otherwise, they said they had rather be under Boston then under New York, after which in the year 1687, Sr Edmund Andross did by a Commission from the late King James, invade the liberty of the people in that Colony, and exercise a Government over them, contrary to their Charter, which they most unwillingly submitted unto ; but since the late happy Revolution in England, the people of Connecticott, have chosen a Governour and assistants, according to their Charter, and doubt not but they have a legall right to their former privileges.

Quere—Whether the Charter belonging to Connecticott, in New England, is by means of their involuntary submission to Sr Edmund Andross's Government, void in law, so as that the King may send a Governour to them, contrary to their Charter privileges, when there has been no judgment entered against their Charter, nor any surrender thereof upon record.

I am of opinion, that such submission as is put in this case doth not invalidate the charter, or any the powers therein, which was granted under the great seal, and that the Charter not being surrendered under the comon seal, and that surrender duly inrolled of Record, nor any judgment of Record entered against it, the same remains good and valid in the law, and that the Corporation may lawfully execute the powers and privileges there-

by granted, notwithstanding such submission and appointment of a Governour as aforesaid.

EDWARD WARD.

I am of the same opinion.

J. SOMERS.

I am of the same opinion, and as the matter is stated, there is no ground of doubt.

GEO. TREBY.

2d August, 1690.

A Letter from his Majesty William 3d, commanding a levy of troops for the aid and assistance of the Province of New York.

WILLIAM R.

Trusty and well beloved, we greet you well,—Whereas it has been represented unto us in council, in behalf of our province of New York, in America; that the same haveing been at great expence for the preservation and defence of Albany its frontiers, against the French, by the loss of which province the inhabitants of Maryland and Virginia, would not be able to live but in garrison, and haveing hitherto preserved that post, the burthen thereby is now intollerable to the inhabitants there. We think reasonable and necessary that our several colonys and provinces of New England, Virginia, Maryland and Pensylvania, should be aiding and assisting, from time to time, to the Governour or Commander-in-chief of our said province of New York, in the maintenance and

defence of it, duering the present warr, and accordingly our will and pleasure is, that upon application of the said Governour or Commander-in-chief, you do immediately send him such aid and assistance in men or money, for the security of our said province, from the attempts of the French and Indians, as the condition of the plantation or colony under your government, shall permitt, and our further will and pleasure is, that as soon as conveniently may be, you agree with the governours of New England, Virginia, Maryland and Pennsylvania, unto whom we have sent the like directions, upon a quota of men, or other assistance to be given by each colony or province, for the defence of New York, as occasion may require the same, and that you give a speedy account of your proceedings herein, to the end such further directions may be given, as shall be necessary for securing the fort at Albany, and the province of New York from the attempts of our enemies in those parts. And so we bid you farewell.

Given at the court, at White Hall, the 3d day of March, 1692-3, in the 5th year of our reigne.

By his Majesties command,

NOTTINGHAM.

To such as for our time being, take care for preserving the peace, and administering the laws in our colony of Connecticut, in our territory and dominion of New England, in America.

*Establishing a Post Office.***PROVINCE OF MASSACHUSETTS BAY.**

At a Councell sitting at the Councell Chamber,
in Boston, upon Thursday, March ye 30, 1693.

His Excell^{ie} being absent from the Province,
Mr. Stoughton, Esqr. Leivt. Govern^r.

JAMES RUSSELL,	}	Esqrs.
JOHN JOYLLIFE,		
JOHN WALLEY,		
SAM'LL HAYMAN,		
RICH'D MIDDLECUT,		
JOHN RICHARDS,		
SAM'LL SEWALL,		
PETER SARJEANT,		
JOSEPH LYNDE,		
ADAM WINTHROP.		

Whereas their most excellent Majesties by their letters pattents, under the great seal of England, have granted unto Thomas Neale, Esqr. his executors, &c. full power and authority to erect, settle and establish within the chief ports of the severall Islands, Colonies and Plantations in America, an office or offices for the receiving and dispatching of letters and packetts for the encouragement and benefit of trade and correspondence, to be held, used, exercised and enjoyed by the said Thomas Neale his Execu^{rs}, Adm^{rs}, and Assignes dureing the term of twenty one years in the said letters pattents mentioned; and her sacred Maj^{tie}, the Queen having speedily recommended unto his Excell^{cy} the Govern^r the assisting and countenance of Andrew Hamelton, Esqr. deputed and constituted to govern and mannage the said Gen^{ll}

Post office for and throughout all the plantations and colonies upon the main land or continent of North America, his deputy agents or servants upon all occasions in the management of the said general post office, and the due execution of all and singular the power and authoritys containd in the said letters patents. And whereas, the said Andrew Hamelton, Esq. hath attended his Excell'cy and councill about that affair, presenting a memoriall, therein proposeing the rates to be ascertained for the posts of letters, &c. and to be continued by the space of three years next coming, and severall fredomes and immunities to be granted unto such as shall be imployed under him as post masters at the respective stages, which proposalls for the post of letters, are as follows, that is to say from Europe, two pence, ye West Indies, or from any parts beyond sea, two pence each single letter, which is to be accounted such altho it claimes bills of lading, Gazets, Invoyses, &c. and for all packetts of letters, four pence, and if letters or packetts lye at the post office uncalled for by the space of forty eight hours, the postmaster then sending them forth to the respective houses of the persons to whom they are directed, one penny more for every such letter or packett. The post of inland letters to be as follows, that is to say, to be from Rhod Island to Boston after the rate of six pence for each single letter, and soe in proportion to the greatness and quantity of letters, and for letters taken in upon post in Connecticott colony for Boston, after the rate of nine pence for each single letter, to or from New York, after the rate of twelve pence for each single letter, to or from Jersies or Pensilvania, after the rate of fifteen pence for each single letter, to or from Virginia or Maryland, after the rate of two shillings for each single letter,

and so proportionably aforesaid, to or from Salem, after the rate of three pence for each single letter, to and from Ipswich, Newberry or other places within this province, four pence for each single letter, to and from Piscatagua, six pence for each single letter, and so in proportion. All publique letters to be receaved and dispatched free of charge.

And that the post pass fferridges free within within this province. In consideration whereof, the said Andrew Hamelton, Esqr. doth ingage to erect the said post office at Boston, by the beginning of May next, and that the post shall passe from Boston to New Yorke, and from Boston to Pensilvania every week, and will state the Satter-day for its setting forth and returning. The Leivt. Gov'r and Councill adviseing upon the aforesaid proposalls, and apprehending the said undertaking to be for their Maj'ties service, and for the great advantage of correspondence and trade and comerce, do so farr approve thereof as to recommend the same to the Generall Assembly at their next setting to be enacted with such further freedom and immunities to the post master as may be encouraging, &c.

By order of the Leivt. Gov'r and Councill.

JAS. ADDINGTON, Sec'y.

Winthrops Commissiion as Agent of the Colony.

We the Governour and Generall Assembly of their Majesties Colony of Connecticut, in New England, having speciaal ocasion to make our

humble address and petition to our Sovraign Lord and Lady, King William, and Queen Mary, whom God Almighty preserve and bless, with reference to our Charter priviledges in general, and more especialy, with reference to the militia of this Colony. And having concluded upon the said address and petition, reposing special trust and confidence in the wisdom and prudence of you Major Gen'll Ffitz John Winthrop, Esqr. have nominated, chosen, desired, commissioned and impowered, and do hereby fully and duly nominate, choose, desire, commission and impower you the aforementioned Ffitz John Winthrop, Esqr. for us and in our behalf personally to appear before our said Sovraign Lord and Lady, the King and Queens Ma'ties, or such others as under them may so have cognizance of our said affair, and unto them to present our said humble address and petition, and before them to transact what you have in instruction, relating to the said affair or whatever else may seem to you or your counsellours reasonably conducing to the ends of the said address and petition, and if by the Providence of Almighty God, you are hindred from makeing your personal appearance, then to appoint and impower such other person or persons in your stead, as may to you seem reasonable, and by al due indeavours to obtain their Maj'ties gracious approbation of our government as established by Charter, and especialy the command of the militia here, be not altered from us to persons of other provinces, but continued with us as hitherto it hath been, and to that end, to answer and reply to whatsoever may be objected against the same, and to act and do in al things lawful in the premises and matters whatsoever shall prove

reasonably necessary, w'ch we will accordingly hold for good.

Dated in Hartford, in New England, 1st day of Sept. Anno. Dom. 1693, and in the 5th yeare of their Maj'ties Reigne, and given under the seal of their Maj'ties Colony of Connecticut, and signed by

ROBERT TREAT, Gov'r.

By order of the General Court,

JOHN ALLYN, Secretary.

Instructions to Agent Winthrop.

Instructions for the Hon'ble Major Generall Fitz John Winthrop, Esqr. from the Governour and Generall Assembly of their Majesties Colony of Connecticutt, in New England.

1st. Hon'ble Sr, be pleased to take notice of the Commission you have from us, and our address and petition to their Majesties, our Sovereigne Lord and Lady, King William and Queen Mary, in the Generall scope and purport of them which is to retaine our Charter priviledges, and in speciall, the use of the militia to avoyde trouble from male contents at home and the overruleings of strangers abroad by obteyning their Ma'ties confirmation of us or what other countenance they shall please to give us in these respects.

2dly. You are to remember we have layd in to our Treasurers hands a supply of money for your Hono'rs service in the affayre, which please to draw out as you see cause and have occasion,

onely we advise not to transport any considerable summs, but to remit it to England by Bills of exchange as you please.

3dly. We entreat and advise that you take the soonest and safest opportunity to transporte yourself to London, and that you be in all respects acomodated according to your quallity and businesse soe far as our poore abillity will admitt.

4thly. That you take with you besides our address, your commission and these instructions and such other books and papers as the Governo'r and Councill may give you, or yourself foresee may be usefull in your negotiation, particularly a copy of our Charter, one of our Law Books, printed, and maniescript to represent the constitution of the militia and other our concerns, and a narrative of the fidelity we have used in the warrs from first to last, to satisfy their Ma'ties that we have given good proofe of our industry in that poynt in speciall.

5thly. That you indeavour as speedy an admission unto their Ma'ties, or Councills, audieneces as may bee, first informeing yourselfe whether any new occurrences there, have happened respecting us.

6thly. We know you canot forget or be unacquainted with the various designements from and for both Yorke and Boston, which you are to have ey upon, as they may influence upon us, and use and avoyde them as is most conducive to your owne business.

7thly. You will doe well to observe what is most gratefull and pleassant at Court and cast your application into the mould of prudence to render it most acceptable, speedy and successfull.

8thly. That you indeavour to make what just

interest you may with persons that may help forward your purposes.

9thly. That on your audience (if God shall grant it,) you give a more dilated demonstration of the chiefe things in the addresse either orally or by writeing or both, as you see best, and especially that you labour to sattisfy their Ma'ties that our condition and useage is such that we cannot be in any other figure without generall discouragement, and what is next to ruein unto us, the demonstration of which may much avayle, and that there is and hath been a generall satisfaction amongst their subjects here in the forme of Government by the charter, and a serviceableness resulting from it, which will be we suppose the satisfyeing the subjects of their Ma'ties in things not unjust nor detrimentall to their Ma'ties interest, will weigh much in the issueing it, and among other demonstrations, you may make of the acquiescence of the people in their present settlement, you may aledge that of about three thousand men in the Colony, about two thousand two hundred perticularly appeared to make this address, and most of the rest concluded to agree, though by private occasions, and not by their respective town meetings; the known generall voyce for it at the revolution when Sr Edmund Andross was at Boston, their quiet under it ever since; the pawcity of male contents and among them few have facts of value for any good qualification, so that were it not for three or four persons there is no appearance of any considerable; and that these appeare possibly in the magnifyeing glass of some neighbours representations in England far greater then they are.

10thly. You must informe their Ma'ties of the state of the Militia here that it is far different from

what it is in England, namely that all male persons from sixteen to sixty years of age are souldiers, and so necessitated to be from the scatteredenesse of the country, fewnes of us all, and dangers from enemies, so that to order the Militia here to the Governo'r of an other Province, is to deliver us up as to our persons intire to such other Governo'r; none save Magistrates, Ministers, Physitians, Millers and impotent persons will be left, and this we conceive may avayle much for the continuance of the Militia as it is and hath been, and the great wages we pay souldiers, thirteen shillings a weeke in dyet and wages to a private sentinell.

11thly. You may see cause to acquaint their Ma'ties of the great distance we are at from Boston and Yorke, and the necessary inconveniencies resulting therefrom if the rule of the Militia be in other hands then some of their subjects here residing.

12thly. The necessary dependance of the civill Government on the power of the Militia in this far distant country, so that it will hardly be executed here, or at the best be very despicable, and consequently rendered difficult to discouragement.

13thly. The difficulty of capitulating and settling any articles or tearmes for the use of the Militia for the defence of the Colony support, or executing the civill part of the Government, with the Governour of an other jurisdiction in which we are or may be subject to be over ruled on all occasions.

14thly. You may urge as farr as is fitting any thing you may be advised of as our right in Law to the use under their Ma'ties of the Militia here, so that if justice or prudence, both or either may

hold it to us we may retayne it since we look on ourselves as next to undone if we have it not.

15thly. If you be interogated why we complained not with Sr Wm. Phips his Lieutenancy, you may reply that he never came on the place, nor acted on it farther then to give a copy of his commission and to inquire who were our officers in commission, and that we haveing a commission (so to call our charter) could not judge it our duty to wave it, at least till we had been heard in the matter before their Ma'ties, whose justice and clemency we know to be so great, especially since no order to us from their Ma'ties about it.

17thly. You are to assure their Ma'ties that the Militia here is and shall (with all the prudence and faythfullnesse God shall give us) be improved to their Ma'ties best interest, and that we have ayded and shall ayde to our abillity our neighbours at Boston and Yorke with the same.

18thly. You may give an accompt of our ayde sent to Albany when yourself was there, which was a juncture that required the secureing the five Nations of Indians, and keeping the French at least at home, and when that Government was so dissetled that then there for secureing their Ma'ties interest, we voluntarily spent above two thousand pownds and lost severall men, besides Capt. Bulls expedition who Garrisoned there at Albany when Senecktaga* was surprized.

19thly. You are to informe that our scituation is such that the townes up the river are ours, and a great part of the New England fronteer and an ordinary way of the Maquaest† return from Canada, and where from Canada divers incursions

* Schenectady.

† The name of a tribe of Indians.

have been made and are continually feared, which we are continually put upon guarding and relieving, for which reason the less is to be expected to be done by us elsewhere.

20thly. Also our continuall danger by the sea coast, where are but few men for so long a shoare.

21st. If on advice you find our address and petition to their Ma'ties not so advantageously drawne as may be, you may draw another, keeping the same generall purport with that, and signe and present and manage it in our behalfe according to these our instructions.

22d. You may opportunely mix and link in your discourses, the hard adventures of our predecessors and selves, our full establishment, our unchangeableness to the Crown, our peaceableness with our neighbours, with what other good character your Honour can truely and modestly make us on this occasion, so necessarily requireing it, and that the sence and dependence of their Ma'ties subjects is, that they shall not now at least be frustrate of the ends of so good and chargeable and extreemly laborious a settlement as they are arrived at.

Many other things may occurre as necessary in this transaction, which we generally leave as we doe these instructions to your Honours prudence and that of the gentlemen with home you shall have occasion to consult herein.

And we pray your Honour to use all opportunities for a good and speedy issue, and that in the interim you give us by all seasonable occasions of conveyance an accompt of your transactions, our prayers shall waite on the Throne of Grace for your conduct and a blessing in a happy resolution of these matters, and your Honours safe and hap-

py returne. Sr, we are your Hono'rs friends and
Humble Servants.

ROBERT TREAT, Governour.

Pr order of the Generall Court, Sept'r 2d, 1693.

JOHN ALLYN, Sec'ry.

Hartford, Sept. 1, 1693.

The 16th article being slipt, is here inserted.

16th. You may represent to their Ma'ties that
we have no temptation to hold the use of the Mi-
litia from any sinister ends, as proffit &c., but
merely for our safety and peace, &c.

*Col. Fletchers Letter demanding the command of
the Militia of Connecticut.*

To the Governour and Generall Court of Con-
necticut sitting att Hartford, Oct. ye 26th, 1693.

GENTLEMEN—I have received your papers
which is noe answer to my memorial, for I doe
not demand the Militia from you, knowing very
well as you yourselves doe, that you have no right
to itt, being settled on the Kings and Queens of
England and their successors, by severall acts of
Parliament and by noe power on earth can be de-
mised from the present possessor of the Crown,
but I have in tender regard to this English Colo-
ly given in my memorial to you, the present ad-
ministrators of the Govern't here, in expectation
of your ready compliyanse to their Maj'ties Pat-
tent and your assistance to me, being a stranger in

these parts, for the more speedy and effectually execution of that lawfull commission which is granted in grace by their Maj'ties, as well for your security and defence as the assertion of their own right, and this has in no part of their dominions found a rub or contest.

I doe therefore in their Maj'ties names demand your obedience to this commission, as you will answer the ill consequences that will ensue, and expect a speedy replye in two words yes or no.

BEN. FFLETCHER.

By his Excellency Benjamin Fletcher, his Maj'ties Liev't and Commander in Chiefe of the Militia, and of all the Forces by Sea and by Land, within their Majesties Collony of Connecticutt, and of all the Forts and places of strength within the same.

M. CLARKSON, Sec'ry.

Note.—Col. Fletcher, Governor of New York, had received a commission to command the whole Militia of Connecticut, which was inconsistent with the Charter rights of the Colony; on the 26th Oct. he came to Hartford, where the General Court was in Session, and in his Majesty's name demanded that the Militia of the Colony should be submitted to his command. The Militia of Hartford was called out; but the General Court persisted in refusing to submit to the demands of Fletcher. A commission was tendered to Gov. Treat, authorizing him to command the Militia as a Lieutenant under Fletcher, but the Assembly would not submit, and the tender was not accepted: the Militia of Hartford having paraded, and as the tradition is, while Captain Wadsworth the Commanding Officer was walking in front of the companies, Col. Fletcher ordered his commission to be read. Capt. Wadsworth instantly ordered the drums to beat; and there was such a roaring of them that nothing else could be heard. Fletcher commanded silence: but no sooner had the reading commenced again, than Wadsworth commands "drum, drum, I say." The drummers understand-

ding their business, instantly made another tremendous roar of the drums. Silence says Fletcher. But no sooner did silence ensue than Wadsworth speaks with great earnestness, "drum I say," and immediately turning to Fletcher, said "if I am interrupted again I will make the Sun shine through you in an instant." He spoke with such decision and energy in his voice, and meaning in his countenance, that no further attempts were then made to read the commission.—Large numbers of people had assembled, and becoming much excited, Col. Fletcher entertained doubts for his personal safety, and judged it expedient soon after to leave the place and return to New York.

*Gen. Winthrop's Petition to the King, relative to
the Commission of Gov'r Fletcher.*

TO THE KING'S MOST EXCELLENT MAJESTY—

The Humble Petition of your Majesties loyall and dutifull subjects, the Governour and Company of the English Colony of Connecticut, in New England in America, presented by Major General Fitz John Winthrop Esqr, their Agent in that behalfe lawfully authorized, sheweth :

That your Petitioners by Letters Pattents, of the late King Charles the second, under the great Seal of England, in the fourteenth year of his Reigne, were incorporated by the name of the Governor and Company of the English Colony of Connecticut, in New England in America, and by several constitutions and powers specified in the said Letters Pattent, had granted to them as well the civill administration of the affairs, as the Lieutenancy and power of ordering, arraying,

modelling and conducting the Melitia of the said Colony, for the special defence and security of the same.

That your Petitioners from the date of the said grant, untill the month of October last, have enjoyed the said liberties and priviledges without forfeiture or mollestation therein [except a little interruption they received, upon the general impeachment of the English Liberties, towards the latter end of the Reigne of the late King James the second,] to the great encrease and comfort of the inhabitants of the said Colony, and the defence and security of your Majesties neighbouring Provinces.

That Benjamin Ffletcher Esqr, the present Governour of your Majesties Province of New York, in the said month of October last, by colour of your Majesties commission, whereby (for the uniting the forces of the said Province and Colony, against the common enemy,) he was created your Majesties Commander in Chief of the Melitia of the said Colony, did demand of your Petitioners, not only to submitt to him as Lieutenant General and Commander in Chief over the full Quota of the Militia of that Colony in conjunction with those of the Province of New York and the other adjacent Governments, (which your Petitioners were always ready to doe, and to send their said Quota, when and wherever commanded by him,) but likewise that your Petitioners should surrender to him the perticular Lieutenancy of the said Colony of Connecticutt, and their power of assessing, modelling and establishing the Militia thereof, granted to them by the said Charter, threatening withall to enforce obedience to his said demands, to the great terrour and discouragement of the inhabitants of your Majesties said Colony.

That the said Benjamin Ffletcher hath likewise endeavoured, by several artifices, to insinuate himself into the civill government of the said Colony; and such, the proceedings of the said Benjamin Ffletcher, are repugnant to the before mentioned grant of King Charles the second, and the true intention of your Majesties said commission, (as your petitioners do in all humility conceive.)

Your petitioners therefore humbly pray, that the said Commission may receive such explanation and restriction, and your petitioners have such speedy reliefe and order for the quieting the said difference for the future, as to your Majesty, in your royall justice and wisdome shall seem most conducing to the prosperity of your Majesties people and interests in the said colony of Connecticut—and your petitioners as in duty bound, shall ever pray, &c.

J. WINTHROP.

January, 1694.

An order of the Rt. Hon. the Lords of the Privy Council, refering the Petition of the Governour and Company of the Colony of Connecticut, to the Lords of the Council of Trade.

Att the Court at White Hall, }
the 29 January, 1694. }

*By the Lords of their Majesties
most Hon'ble Privy Council—*

Upon reading the annexed Petition of the Governour and Company of the English Colony of

Connecticut, in New England, in America, presented by their Agent, Major Gen'l Fitz Jon Winthrop, complaining of the proceeding of Collonel Benjamin Fletcher, Governour of New York, in relation to the said Colony, and praying to be relieved; it is this day ordered in Councill, that it be, and it is hereby refered to the Right Honnourable the Lords of the Committee of trade and plantations, to examine, and consider of the matter of the said petition, and to report to this board, what their Lordships conceive fit for his Majesty to do therein.

RICHARD COLLINGE.

*Objections raised to the conduct and proceedings
of the Governour of New York.*

The case of the Governour and Company of the English Colony of Connecticut, in New England, in America, in relation to the pretensions of his Excellency, Benjamin Fletcher, Esqr. the present Governour of New York, laid before the Rt. Hon'ble the Lords of the Councill of Trade, by Gen. Winthrop.

The said Governour and Company were incorporated by Letters Patents of King Charles the second, in the fourteenth year of his Reign, which among several other powers and constitutions for the civill Government of the said Colony, conveyeth to the Governour of the said Company "for the time being, or others by his appointment and direction, authority to assemble, martial, array and put in warlike posture, the inhabitants of

the said colony, and to commissionate such persons as they shall think fitt to lead and conduct the said inhabitants, and to encounter, expulse, &c. for the special defence of the said colony."

There is likewise in the said Charter, a clause for the more beneficial construction thereof on the behalf of the corporation: and another of nonobstante to all statutes, &c. repugnant to the said grant.

According to which Charter the Governour of the said Company for the time being, and such as were commissioned by him, have all along had the command of the militia of the said colony, for the special defence thereof; and the said militia has been levied, proportioned and modelled according to the locall statutes and orders of the Colony, made with great regard to the abilities and condition of the respective towns and divisions therein, and in perfect subserviency to the laws of England; by means of which constitution, this colony has ever since the said incorporation, flourished in improvements, added to the numbers of its people, defended itself in time of war without the help of the neighbouring provinces, who yet it hath not spared to assist, when invaded, with men, money or ammunition, according as was most wanted.

And the inhabitants thereof, have continually behaved themselves with such unblemished loyalty towards the crown of England, that in the late Reigns, when a very slender pretence served for a ground of seizing the liberties of corporations, as legally forfeited, there was not so much as a colour found out to vacate the said Charter.

Since the warr now depending with France, it seemed fitting to their present Majesties, that the militia of several neighbouring colonys and provinces in America, should upon occasion act in

conjunction, under the command of one experienced Commander-in-chief, for the common safety of the English interest; and thereupon their said Majesties, did in the third year of their reign, constitute Sr William Phipps, Knight, Commander-in-chief of all the militia, and forces by land and sea, within the several colonies of Connecticut, Rhoad Island, Providence Plantation, the Naraganset country or Kings province, and the province of New Hampshire. To which Commission of Sr William Phipps, the Governour and Company of Connecticut, did never give up the Command of the militia, so granted to them, but yet did not refuse to attend him with their quota of the militia of Connecticut, to act with the other forces under his command, and in such manner, as to him should seem most conducing to the common security.

Afterwards, in June last, their Majesties thinking it more convenient that the militia of Connecticut should act in conjunction with that of New York, then with those of the colonies above named, by Commission superseded the said power granted to Sr William Phipps, as to the militia of Connecticut, and transferred the same to Benjamin Fletcher, Esqr. the present Governour of New York, and the Governour of New York for the time being.

That by colour of which last commission, the said Benjamin Fletcher, doth not only challenge the chief command and conduct of the quota of the militia of Connecticut, when raised with the other militia of his Governments, for the publick security (which the said Governour and company were always ready to submit to,) but likewise the full power of assessing, apportioning and modelling the said militia, and requiereth that the said Govern-

our and company should acknowledge him as entirely vested with the particular Lieutenancy of their colony, and with all the powers and rights any ways relating thereunto, granted to, and yet remaining in them, by vertue of the said Charter, for the special defence and protection of the said colony, which the said Governour and company excuseing themselves from, till their Majesties pleasure in the premises should be further known, by their agent sent into England for that purpose, and humbly requesting the said Benjamin Fletcher, in the mean time to accept of their quota, in men or money, for the common security, (as was used to be done when Sr William Phipps had the like commission,) the said Benjamin Fletcher rejected that offer, threatening the Generall Councill that he would force obedience to his said commands, to the great terror of the inhabitants of the said colony.

Which pretentions and proceedings of the Governour of New York, are conceived to be no ways agreeable to the true intention of their Majesties, in their said commission; the prosperity of the said colony, or the comon security of the English inhabitants in the adjacent provinces; and that upon the following considerations.

1st. For that this colony, where all between 16 and 60 years of age are of the militia, (which is settled and modelled by the statutes and orders of the General assembly) there is necessarily so close a connection between the ordinary rule and government of the said militia, and the civill government, that whosoever hath the absolute power of the former, must draw all the authority of the latter to himself, by a consequence which is unavoidable, for the command of every mans person will undoubtedly produce the command of every

mands purse, and the alteration of the present modell of the militia, will be an alteration of the laws also.

2dly. By the constitution of this colony, the life and execution of the laws depends wholly on the power of the militia, which can be little usefull to that purpose, if wholly removed from the civil magistrate, and placed in a person resideing at so great a distance as the Governour of New York usually doth, and though this may be something helped by deputations, if the Governour of New York pleaseth, yet it evidently renders the execution of the laws at Connecticut precarious, and at the will of the Governour of New York.

3dly. The Colonys in America, are governed, as near as may be, with conformity to the laws of England, where the King or his Lievtenant, cannot draw out all the men of a county to serve in the militia, but a certain number proportioned to the extent and rules of the county. But if Co'll Fletchers Commission should be asserted in the latitude he contends for, he might draw out the inhabitants in what numbers, and raise contributions on them in what quantities he pleaseth; in short, he could become perfect master of the lives, liberties and estates of the English in that colony, who cannot but withdraw from the apprehensions of such an unlimited power lodged in a subject, a souldier of fortune, not their Governour, and upon that account not responsible for any inward consumption of the colony, so he protects it from being overrun by a foreign enemy.

4thly. It is impossible that Co'll Fletcher, though he should prove of an abstinence unusuall in this age, can be so competent a judge of the dispositions and abilities of each town and division in the colony, nor so much master of their affections in

time of need, as they who dwell among them, nor by consequence so well qualified for the locall and ordinary government of the said militia.

5thly. The frontiers of Connecticut, which lyes most remote from the province of New York, do often call for a sudden and vigorous defence, but iff the civill government of that colony must be wholly divested of all power in the Militia for the special defence of the same (as their charter speaks) and driven to sue for orders to the Governour of New York, (who comonly resides about 200 miles off,) the inconvenience is to evident to be mentioned, besides it is repugnapt to the very nature of a Government, that the power of defending itself, should not be in itself, but lodged in the Governour of an other Province.

6thly. Coll. Fletchers comission gives him not the Government of Connecticut, but a particular ministerial office in that Government, and therefore he ought to construe his comission so as may leave him subordinate to the Government of that place, and not above it, as he will be effectually, if he be permitted to exercise it in the extent demanded by him.

7thly. As the Militia in England is commanded by the King and his Lieutenants, under the restrictions and orders appointed by act of Parliament (or the subject could not be free,) so tis conceived their Majesties intention in this comission could be no other, then that Coll. Fletcher should command the Militia, subject to the Laws and Constiutions of the Colony, so farr as they are not repugnant to the Laws of England.

8thly. This sence in which the Government of Connecticut would understand their Majesties comission, is agreeable enough to the Letter and penning of it, for the ground there laid down for

the granting that comission, is the uniting the forces for security of their Majesties subjects in generall, inhabiting in those parts ; and no reason is there so much as hinted at, why that Colony should be deprived of all power over the Militia, within itself for its own particular defence, and refference is therein had to the like comission before granted to Sr William Phipps, (who never exercised so unlimited an authority,) and tis taken for a rule in expounding the Kings grants, that when there are two constructions to be made, which equally satisfy the letter thereof, one repugnant to the other consisting with a former grant, which preserves the former grant is to be preferred, as most agreeable to the Kings honnour and justice.

9thly. It is observable that in Coll. Fletchers comission, there is no express superseeding the comand of the Militia granted to the Government of Connecticut by the said charter, although the same comission does expressly supersede the above-mentioned authority granted to Sr William Phipps.

These among divers others, are some reasons why tis hoped their Majesties will be pleased to preserve to the said Colony of Connecticut their liberties granted to them by the said charter, and to explain the comission of Coll. Fletcher in such sort, that he may content himself with the Generall comand of the Quota of the Militia of that Colony, and not take from the civill Government of that place the power of levyng and ordering the Militia within themselves, granted by the said charter.

*His Majesties order in Council on the subject of
the Militia of the Colony of Connecticut.*

At the Court at White Hall, the 19th of Aprill,
1694.



PRESENT,

The **KINGS** most Excellent Majesty.

LORD ARCH BP, of Canterbury, **LORD KEEPER**,
LORD PRESIDENT, **LORD PRIVY SEEALE**, **DUKE** of
Bolton, **LORD STEWARD**, **LORD CHAMBERLAINE**,
EARLE of Oxford, **EARLE** of Shrewsbury, **EARLE**
of Bridgewater, **EARLE** of Bathe, **EARLE** of Ro-
chester, **EARLE** of Montague, **EARLE** of Scarbo-
rough, **EARLE** of Ranelagh, **LORD VISCOUNT SYD-
NEY**, **LORD VISCOUNT FALKLAND**, **LORD BP**, of
London, **LORD CORNWALLIS**, **LORD CONNINGSBY**,
SR ROBERT HOWARD, **Mr. TRENCHARD**, **Mr.**
CHANCELLOR of the Exchequer, **SR HENRY GOOD-
RICHE**, **Mr. RUSSELL**, **Mr. BOSCAWEN**.

A Petition haveing been presented to his Ma-
jesty, by Major General Fitz John Winthrop,
Agent for the English Colony of Connecticut, in
New England, in America, in behalf of the said
Colony, by the name of Governour and company
of the English Colony of Connecticut, in New
England, in America, setting forth that the Peti-
tioners by Letters Pattents, under the great Seale
of England, in the fourteenth year of the Reigne
of the late King Charles the second, were incor-
porated by the name of the Governour and com-
pany of the English Colony of Connecticut, in
America, with power as well for the civill admin-
istration of affairs, as the Lieutenant for the or-

dering, arranging, modelling and conducting the Militia, for the special defence of the Colony.— That from the date of the said grant, untill the month of October last, they have enjoyed the said liberties and priviledges without forfeiture or mollestation, except some interruption they received in the Reigne of King James the second; that Coll. Ffletcher, Governour of New York, in October last, by colour of his Majesties commission, whereby for the uniting the forces of the said Province and Colony, he was created Comander in Chief of the Militia of the said Colony, and did demand of the Petitioners, not only to submitt to him as Lieut. Generall and Comander in Chief over the full Quota of the Militia of that Colony, in conjunction with those of New York and the adjacent Governments, but likewise the particular Lieutenancy of the said Colony, and the power of assessing, modelling and establishing the Militia thereof. The Petitioners therefore humbly praying the said comission may receive such explanation and restriction, as to his Majesty, in his Royall justice and wisdom shall seem meet. And his Majesty having been pleased to referr the said Petition to the Right Honnourable the Lords of Comittee of Trade and Plantations, to consider the matter of the said Petition, and to Report what they conceive fit for his Majesty to do therein, and the Lords of the Comittee haveing received the Report of their Majesties Attourney General and Soliciter General, upon the matter of the said Petition, together with the address of the Colony of Rhoad Island, and touching the uniting the strength of those Colonys against the French, which report is in the words following :

May it please your Lordships,

In obedience to your Lordships commands signified to us by Mr. Blaithwaitt, the 2d of January and the 3d of February last, by which we were to consider the severall charters of Connecticut and Rhoad Island, and the grants of East and West Newjersey, and to Report our opinion upon the whole matter, what may be done for the uniting the strength of those Colonys and New York under a chief commander, to be comissionated by their Majesties, for the defence of their Majesties subjects in those parts, against the French, and also to consider the anexed copy of the Petition of the Governour and company of Connecticut, and to request our opinion thereupon. Wee have considered the matter to us referred and do finde, that King Charles the second, by his charter, dated the 23d of Aprill, in the 14th year of his Reigne, did incorporate John Winthrop and several other persons therein named, and all others who then were or after should be admitted and made free of the company, to be a corporation, by the name of the Governour and company of the English Colony of Connecticut, in New England, in America, with such powers, priviledges and capacities as were usually granted to corporations of like nature, and to have continuance and succession forever, and therein the bounds of the colony are described, and a grant thereby made to the corporation of all land, soyle, ground, havens, ports, jurisdictions, royalties, priviledges, franchises and hereditaments within the same or thereto belonging; to be holden to the corporation and their successors in trust, for the benefit of themselves and their associates freemen of that Colony, their heirs and assigns, of the Kings of England, as of their

manner of East Greenwich, by the fifth part of the oare of gold and silver there found, with power to the corporation, to make laws, elect Governours, Deputy-Governours and assistants, erect Judicatures and Courts, and choose officers for the civill Government, and thereby also power is granted to the chief comandars, Governours and officers of the company, and others inhabiting there, by their leave or direction for their speciall defence and safety, to assemble, martiall, array and put in warlike posture the inhabitants of the Colony, and to comission such persons as they should thinke fitt, to lead and conduct the inhabitants, and to encounter, resist, kill, and slay all that should attempt or enterprize the invasion or annoyance of the inhabitants or plantations, and to exercise martial law, and take and surprize the invaders or attempters of the plantation, or hurt of the company and inhabitants, and on just occasion to invade and destroy the natives or the enemies of the Colony.

Wee also finde, that King Charles the second, in the fifteenth year of his Reign did incorporate divers persons by name, and such others as then were or after should be admitted and free of the company, by the name of the Governour and company of the English Colony of Rhoad Islands and Providence Plantations in New England, in America, and granted them in effect the like powers and authorities, both civill and military, as are before mentioned to be granted to Connecticut.

Wee find that the civil Governments in those plantations or Colonys, executed the Military powers conferred by the charters, but that their Majesties in the third year of their Reigne, by their comission constituted Sr William Phipps Lieutenant and comander in chief of the Militia,

and of the forces by sea and land, within the Colonys of Connecticut, Rhoad Island, Providence Plantation, Kings Province, and Province of New Hampshire, and all Forts and places of strength in the same, with severall powers and authorities. And that their Majesties by their comission under the great seal, dated the tenth of June 1693, revoked so much of Sr William Phipps his comission and powers as related to the Colony of Connecticut, and by the same comission constitute Benjamin Fletcher Esqr, their Majesties Captain General and comander in chief of New York, Pensilvania, New Castle, and the territories and tracts of land depending thereupon, to be the comander in chief of the Militia, and of all the forces by sea and land within the Colony of Connecticut, and of all Forts and places of strength within the same, with power to levy, arme, muster, command or imploy the Militia of the said Colony, and upon any necessary and urgent occasion dureing this warr, to transferr to the Province of New York and frontiers of the same, for resisting and withstanding enemies, pyrates and rebells both at land and sea, and defence of that Province and Colony, of which comission, and the large powers therein contained as to Connecticut, the Colony of Connecticut, by their annexed petition do complain and pray redress against the exercise of it in such manner over the whole Militia, and therein shew their reasons against it.

Wee have heard Coll. Winthrop and his coun-
cill on the behalf of the Colony of Connecticut,
and Mr. Almey and his counsell on behalf of
Rhoad Island and Providence Plantation, and Dr.
Cox appeared on the behalf of East and West
New Jersey, and produced some writings, shew-
ing how the same was granted out from the Crown

to the Duke of York, and by the Duke of York to others; but the Doctor not claiming any title to himself, it doth not appear to us, in whome the estate in law of those places or of the Government thereof, civill or Military doth now reside, nor how the same is exercised. But haveing received the annexed estimate from Mr. Blaythwaite, wee communicated the same to the Agents for Connecticut, Rhoad Island and Providence Plantations, who declared their readiness duering the times of danger, to provide their respective Quotas therein contained, and in case of encrease of danger, or other necessary occasions duering the continuance thereof, their respective Quotas to be proportionably increased with other Colonys, but as to the remaining Militia beyond the Quotas (which it seems in those countrys, consists of all males between 16 and 60 years of age,) they humbly desire that it may remaine under the ordinary and usual Government and command of the Colonys, according to their charters, and not to be commanded out, unless in times of actual invasion or eminent danger, for the necessary preservation of some of their Colonies, and at such times only when such of the Colonys whereout the forces shall be drawn, are in danger, and that at all times a sufficient power of Militia may be always kept in each Colony under the power of the Government of it, for the safety and necessary preservation thereof.

We are humbly of opinion that the charter and grants of those Colonies, do give the ordinary power of the Militia to the respective Governments thereof; but do also conceive that their Majesties may constitute a chief comander, who may have authority at all tymes to command or order such proportion of the forces of each Colony or Plantation, as their Majesties shall think fitt,

and further in times of invasion and approach of the enemy, with the advice and assistance of the Governours of the Colonys, to conduct and command the rest of the forces, for the preservation and defence of such of those Colonys as shall most stand in need thereof, not leaving the rest unprovided of a competent force for their defence and safety; but in time of peace, and when the danger is over, the Militia within each of the said Provinces, ought as we humbly conceive to be under the Government and disposition of the respective Governours of the said Colonies, according to their charters, all which nevertheless is most humbly submitted to your Lordshipps great wisdom.

**EDWARD WARD,
THO. TREVOR.**

2d April, 1694.

And the Lords of the comittee haveing presented to his Majesty in councill, the Report of Mr. Attourney and Mr. Solicitor Generall upon the matter abovementioned, his Majestie in councill is pleased to approve the said Report, and to signify his pleasure, that the Quota, not exceeding one hundred and twenty men, be the measure of the assistance to be given by the Colony of Connecticut, and all times duering the warr to be commanded by the Governour of New York; - and the Right Honnourable Sr John Trenchard, his Majesties principall Secretary of State, is to prepare Letters for his Majesties Royal Signature, for the signification of his Majesties pleasure herein to the Governours of New York and Connecticut accordingly.

WILLIAM BRIDGEMAN.

Postscript of a Letter from Gen. Winthrop to the Governor and Council of the Colony of Connecticut, dated London June 4th 1694, relative to the Narraganset country.

SIR—I think it my duty to let your hon'r know that the Lord Arran, eldest Son to the late Duke Hamilton, has put in his claime to the land from ye East side of Conecticot River, Naroganset, Rhode Island and those parts; I can but just mention it supposeing yo'rselves know all that can be said about it, and soe are guarded against any trouble that may arise therein. I understand there will be a hearing of ye claim before the King and councill, but my Lord Arran being gon into Scotland to solemnise the funerall of the Duke his Father, who dyed lately goeing to Scotland; it may put a stop to any present hearing; and if it please God, that I doe not returne this winter, you will have oppertunity by the mast ships or sooner, to inform yo'rselves about it.

J. WINTHROP.

Copy of Queen Mary's Letter to the Governour of New York, concerning the Militia of Connecticut.

MARIE R.

Trusty and well beloved, we greet you well; haveing received the humble petition of our colony of Connecticut, in New England, praying that

our comission unto our Governour or comander in chief, of our Province of New York, for command of the Militia of our said colony, may receive such explanation and restriction, as in our royall justice and wisdome we shall think fit, we have referred the consideration of the said petition to the Lords of our privy councill, appointed comittee of Trade and Forreigne Plantations, who haveing consulted our Attorney and Solicitor Generall, what may be legally don by us for the uniting the strength of our said colony of Connecticutt, and the adjacent colonys, for the defence and security of our subjects in those parts, against the French, and haveing presented to us the opinion of our said Attorney and Solicitor Generall, that we may constitute a chief commander, with authority to comand or order such proportion of the forces of each colony as we shall think fitt, and further in time of invasion and approach of the enemy, with the advice and assistance of the Governours of the colonies, to conduct and command the rest of the forces for the preservation and defence of such of our said colonies as shall most stand in need thereof, as by our order in our councill, dated the nineteenth day of Aprill last, upon the report of our said Attorney and Solicitor Generall in this matter, which order, or a duplicate thereof you will herewith receive, is more at large sett forth, our will and pleasure is, that in the execution of the powers of your said commission for the command of our said Militia of Connecticutt, you do not take upon you any more then in time of warr to command a Quota, or part of the Militia of our said colony of Connecticutt, not exceeding the number of one hundred and twenty men, which we have thought fitt to signifie our pleasure to the Governour and Magistrates

of our colony of Connecticut, to be the measure of the assistance to be given to our said colony, and you are not to command or draw out any more of the said Quota of the Militia of our s'd colony of Connecticut, then you shall in proportion command or draw out from the respective Militias of the adjacent colonys, except in cases of imminent danger of an actual invasion of the enemy, in which case our will and pleasure is, that with the advice of the Governour of our said colony of Connecticut, you conduct and command the rest of the forces of that our colony for the preservation of our said colony, or of such other of our adjacent colonies, as shall most stand in need thereof, you takeing care that you do not leave our said colony of Connecticut unprovided of a competent force, for the defence and safety thereof. And we not doubting of the ready and carefull obedience of our good subjects in our colony of Connecticutt, to our Royall determination, in a matter wherein the security and preservation of all our good subjects within our said colony, and the parts adjacent, is so much concerned, we have signified our pleasure to the Governour and Magistrates of our said colony, that as occasion shall require, they give obedience to our said commission and the powers and authorities thereof, to be executed in such manner as is herein directed. And so we bid you farewell. Given at our Court att White Hall, this twenty-first day of June, 1694, in the sixth year of our Reigne.

By her Majesties command;

J. TRENCHARD.

A Letter from her Majesty Queen Mary, relative to the Militia of Connecticut.

MARIE R.

Trusty and well beloved, wee greet you well : Haveing received your humble petition, presented unto us by Major General Fitz John Winthrop, your agent, humbly praying that our Comission to our trusty and well beloved, Benjamin Fletcher, Esqr. our Governour of our province of New York, for the comand of the militia of our colony of Connecticut, may receive such explanation and restriction, as in our Royall justice and wisdome we shall think fitt, wee being well pleased with your dutyfull submission to our Royall determination herein, and haveing great care and tenderness for the preservation and security of all our loveing subjects, as well within our colony of Connecticut, as other our adjacent colonys, wee have refferred the consideration of the said petition to the Lords of our Privy Councill, appointed a committee of trade and foreigne plantations, who haveing consulted our Attourney and Solicitor Generall what may be done by uss for the uniting the strength of our said colony of Connecticut and the adjacent colonys, for the defence of our subjects in those parts, against the French, and haveing presented to us the opinion of our Attourney and Solicitor Generall thereupon, that we may constitute a chief commander, with authority to command or order such proportion of the forces of each colony as we shall think fitt, and further in time of invasion and approach of the enemy, with the advice and assistance of the Governours of the colonys, to conduct and com-

mand the rest of the forces for the preservation and defence of such of our said colonys as shall most stand in need thereof, as by our order in Councill, dated the 9th day of April last, upon the report of our Attorney and Solicitor Generall in this matter, which order, or duplicate thereof, you will herewith receive, is more at large set forth. Wee have thereupon further signified our pleasure to our said Governour of New York, that in the execution of the power of his said comission, he do not take upon him any more then duering warr, to comand a quota or part of the militia of our said colony of Connecticut not exceeding the number one hundred and twenty men, which we do heartily think fit to signifie our pleasure to be the measure of the assistance to be given to our said colony, with speciall directions to our said Governour of New York, that he do not comand or draw out more of the said quota of the militia of our said colony of Connecticut, then he shall in proportion command or draw out from the respective militia of the adjacent colonys, except in case of imminent danger of an actual invasion of the enemy, in which case we have further directed him, that with the advice of the Governour of our said colony, he conduct and comand the rest of the forces of that our colony, for the preservation of our said colony, or of such other of our adjacent colonys as shall most stand in need thereof, he takeing care that he do not leave our said colony unprovided of a competent force, for the defence and safety thereof, and not doubting of your ready and chearful obedience to our Royall pleasure, in a matter wherein the security and preservation of all our good subjects, within our said colony of Connecticut, and the places adjacent, are so much concerned; wee do hereby

require and command you, as there shall be occasion, to give obedience to our said Commission, and the powers and authorities thereof, to be executed in such manner as we have directed our said Governour of New York, according to the signification of our pleasure as aforesaid. And the said Major General Fitz John Winthrop, will upon his arrivall, inform you of our gracious intentions to continue our Royall protection to you and all our subjects of that our colony, and particularly in what may relate to the preservation of the peace, welfare and security of the same, and maintaining your just rights and priviledges, wherein your said agent has been as well very zealous and carefull in your behalf, as diligent in soliciting our Royall determination in the matter, which we thought fitt to lett you know; and so wee bid you hearty farewell.

Given at our Court, at White Hall, this twenty first day of June, 1694, in the sixth year of our Reigne.

By her Majesties Command,
J. TRENCHARD.

To our trusty and well beloved, the Governour and Magistrates of our colony of Connecticutt, in New England, and for the time being.

*Letter from Gen. Winthrop to the Governour and
General Assembly of the Colony of Connecticut.*

HON'BLE SR—

My letter of the 4th of June, and my last of the 16th of July, doe containe the acc't of yo'r affaires here, soe far as could then be attained; and my hopes of being dispatched at Court in a little tyme, soe that I have now onely to present that a few days since, I have received their Majesties gracious letter of the 21st of June, which since that date has been in the hands of the Secretary of State; wherein their Maj'ties have been pleased to expayne their Commission to Coll. Fletcher, and restraints it within the bounds of a quota in time of war, and is noe more then yourselves have formerly sent forth for defence to your neighbor Governments. I know not what can more re-establish and confirme the Charter, then their Maj'ties gracious expressions, and intentions to maintaine your just rights and privileges, which is fully set forth in the enclosed letter to Coll. Fletcher. And I may let you know the Lords of the Council are yett satisfied with your present administrations, and you stand faire at court, soe far as I can understand. I hope their Maj'ties letter will remove all former misunderstandings, and settle the minds of the people in all respects; I am forst to omit some perticulers which might be inserted herein, haveing been some dayes under much indisposition, and doe with great difficulty write this letter, and can onely farther add that I finde it impossible to returne with this opportunity; an order of Council is sent to the Commander of the

ship who caryes the souldiers to New York, to sayle with the first winde, and their Maj'ties letter being soe lately delivered to me, makes it impossible to be ready in soe few dayes by me, and soe must wait for the first opportunity in the spring; in the meane tyme I shall be early here to doe all the service I can if any thyng offers for your advantage. I have not omitted any opportunity to promote your interest, and have done all I can in the trust comitted to me; and if it be acceptable to yourselves, I shall alwaye thank God for the opportunity he has given me to serve my country. I shall hope to heare from yorselves by every opportunity, and am much uneasy that I have not received one word from yourselves since I come into England, many gent'm here have received Letters by New York and severall other ways; a vessill arrived here last weeke in a month from Boston, but I have noe letter therein. I gave yo'r hon'r acc't in my last what mony I had taken up here, to be repaid at Boston, which I hope will not be forgot, and shall medle noe farther till I hear from yourselves, believing you will care for me as is fitting, I have now only to ask your prayers for Gods favour and protection, that I may be preserved here; and safely returned to yourselves, which with the presentment of my humble service to your hon'r the Dept. Gov'r and Gent'm of the Councill, is all at present but the assurance that I am

Your most faythfull serv't,

J. WINTHROP.

London, Aug. 2d, 1694.

Copy of an Address from the Governor and council of the Colony of Connecticut, to his Majesty William 3d.

To the most High and Mighty Prince Wm. the 3d. of England, Scotland, France and Ireland, King, Defender of the Fayth, &c.

Your Ma'ties Humble, Loyall and obedient subjects, the Governo'r and councill of your colony of Connecticutt in most humble wise, upon our bended knees doe thankfully acknowledge your Ma'ties grace and goodness to your subjects in this colony, your Ma'ties speciall favour expressed in her late Ma'ties princely Letter of the twenty-first of June 1694, in the sixth yeare of your Ma'ties reigne in granting such restrictions to Col. Fletchers commission as in your wisdom you saw meet, as also therein was manifested to us your Royall intentions to continue your Royall protection to this colony in the mayntayning of all our just rights and priviledges ; your Ma'ties grace and bounty to us therein layes a firm obligation upon our hearts to manifest our duty and loyalty to your Ma'tie, according as we are allways bownd ; and by reason of the providence of God frowning upon us this last year by frosts and unseasonable weather thereby taking from us our most principle graine, cutting us so short that we canot fetch in such supply as in other yeares, as also the constant expence of ammunition we are under in mayntaining our Fortes and in the necessary reliefe we often afford to our frontier towns and your Ma'ties Government of New Yorke, we humbly pray that of your Royall bounty your Ma'ties would please to bestow some arms and ammunition upon us, whereby we may be inabled to de-

send ourselves with other of his Ma'ties good subjects and destroy your Ma'ties enemies, which is the end for which we desire them, and the onely way we shall improve them, and your petitioners shall ever pray for your Ma'ties prosperity, long life and the increas of your glory here and forever.

Hartford Octob'r 28, 1695.

A Letter from John Povey, Esqr. relative to the discovery of a conspiracy to assassinate his Majesty.

WHITE HALL, the of March, 1695.

Sr—Enclosed you will receive a letter from the Lords of the councill, upon occasion of the happy discovery for assassinating his Majesties person, and invadeing this Kingdom from France, the King's Speech and Proclamation, with the address of the Lords and Comons, will inform you of the perticulars so farr as is yet made publick ; but many of the conspirators haveing been seized, some of them are to be brought to tryall this week, and others suddenly after, in order to be brought to justice, when al things relating to this conspiracy, will be laid more open. I am Sr your most Humble Servant, John Povey.

To the Houn'ble the Governour of his Majesties Colony of Connecticott, in New England, in America.

A Letter from the Lords of the Privy Council, relative to the plot for assassinating his Majesty.

After our hearty commendations, It having pleased Almighty God to extend his mercy to these Kingdoms, by the continued instances of his divine protection, whereof at this time we have had a most signall evidence by the happy discovery of a traiterous and wicked designe against the life of his most sacred Majesty, by assassination, and for the subdueing these Kingdoms by the French, in conjunction with other conspirators, many of whom are secured, in order to be brought to speedy justice. As the attempt of our enemies have been disappointed by the preparations that have been made against them by sea and land, wee do hereby in his Majesties name, and by his express command, signifie the same to you, that you may forthwith make known so wonderfull a deliverance to all his Majesties good subjects, under your Government, the perticulars whereof, and proceedings thereupon, are more at large sett forth in the enclosed papers; and because upon this occasion, and for the better manning of the Royall Fleet, to oppose the enemy, his Majesty hath found it absolutely necessary to lay a generall embargo for some time, upon all shippes outward bound, and trading to his Majesties plantations; wee have thought it requisite to dispatch this express to you for the preventing any malicious or mistaken informations, and for the satisfaction of the inhabitants of the said plantations; not doubting but you and they will heartily joyne with us, in expressions of thanks to Almighty God, for so great a blessing in the preservation of his Majesties sa-

cred person and Government. And so we bid you heartily farewell—From the Councill Chamber at White-Hall, this tenth day of March, 1695-6.

Your Loving Friends,

BOLTON,
SCHONBURGH & LUNITER,
DEVONSHIER,
WILLIAM BLATHWAYT,
SHREWSBURY,
J. BRIDGEWATER,
BATHE,
MONTAGUE,
H. GOODRICKE,
J. BASCAWEN.

To our Loving Friends the Governour and Majistrates of his Majesties English Colony of Connecticut, in New England, for the time being.

A Letter from the Right Honorable William Blathwayt, Secretary of State.

WHITE-HALL, the 21st April, 1696.

SR—Upon the discovery of the late horrid conspiracy against his Majesties sacred person and Government, an association has been entered into and signed in Parliament, and by the severall counties and corporations in England, and a bill is likewise past both Houses to oblige all persons in office and publick trust to do the same. I send you therefore the enclosed form as proper to be entered into, and signed accordingly within your

Government, which you will promote as a mark of the steady loyalty and affection of the subscribers to his Majesty and the present Government.

I am Srs, your Excellencies most Humble Servant,

WILLIAM BLATHWAYTE.

To the Houn'ble the Governour and Majistrates of his Majesties Colony of Connecticott, in America.

The Association entered into by the Governour and Council of the Colony of Connecticut.

Whereas there has been a horrid conspiracy formed and carried on by Papists and other wicked and traiterous persons for assassinating his Majesties Royall person, in order to incourage an invasion from France on England, to subvert our Religion, Laws and Liberty: Wee whose names are hereunto subscribed, do heartily, sincerely and solemnly profess, testifie and declare, that his present Majesty, King William, is rightfull and lawfull King of the Realms of England, Scotland and Ireland, and that neither the late King James, nor the pretended Prince of Wales, nor any other person hath any right whatsoever to the same, and we do mutually promise and engage to stand by, and assist each other to the utmost of our power, in the support and defence of his Majesties person and Government, against the late King James and all his adherents. And in case his Majesty come to any and violent or untimely

death, (which God forbid,) wee do hereby further freely and unanimously oblige ourselves to unite, associate and stand by each other in revenging the same upon his enemies, and their adhereants, and in supporting and defending the succession of the Crown, according to an act, made in the first year of the reigne of King William and Queen Mary, intituled "an act, declareing the rights and liberties of the subject, and setling the succession of the Crown."

ROBERT TREAT, Governour,
JOHN ALLYN, Assistant,
SAMUEL MASON, Assistant,
NATHANIEL STANLEY, Assistant,
CALEB STANLEY, Assistant,
MOSES MANSFIELD, Assistant,
JOHN HAMLIN, Assistant,
ELEAZER KIMBERLY, Secretary.

Hartford, Sept. 2d, 1696.

A Letter from the Rt. Hon. the Lords of his Majesties Privy Council, relative to the preparations of the French against America.

After our hearty commendations—Whereas information has been given that the French are making preparations by shipping and otherwise for an attempt against some parts of America, and have put on board a considerable quantity of arms for that purpose, wee have thought fitt by this express to notifie the same to you, to the end you may give the necessary orders for putting all things in the best posture of defence that may be,

within your Government, and that you assure the inhabitants thereof that such speedy assistance will be sent from home, as the state of affairs at home shall permitt, with perticular regard to the exigencys they shall lye under ; and so not doubting your utmost care and vigilance herein, we bid you heartily farewell.

From the Councill Chamber at White Hall, this 20th day of April, 1696, in the 8th year of his Majesties reigne.

Your loving friends,

H. GOODRICKE,
J. BOSCAWEN,
J. SMITH,
J. BRIDGEWATER,
STAMFORD,
SCARBOROUGH,
MONTAGUE.

To our loveing friends the Governour and Magistrates of his Majesties English colony of Connecticutt, in New England, for the time being.

The opinion of Sir Thomas Trevor, about the Narraganset Country.

TO THE RIGHT HON'BLE,
the Com'rs for Trade and Plantations—

May it please your Honours—In obedience to an order of refference of the Right Honnourable, the Lords of the Committee of Trade and Plantations, signified to me by Mr. Povey, the 22d of

May, 1695, upon the Petition of Wait Winthrop, and others concerning the settlement of the Kings Province, or Narraganset Bay, in New England.

I have considered of the said Petition, and do finde that King Charles the second, by Letters Pattents, bearing date the 23d day of Aprill, in the fourteenth year of his reigne, granted to the Governour and Company of Connecticutt, and their successors, Narragansetts Bay in New England, together with all firme lands, soyles, grounds, havens, ports, rivers, waters, fishings, mines, min-
eralls, precious stones, and all and singular other commodities and jurisdictions whatsoever; reserving to his Majestie, his heirs and successors, the fifth part of the oare of gold and silver only.

That after the said grant, vizt. in July 1663, the said country of Narragansett Bay, was by Letters Pattents granted to the Governour and Company of Rhoad Island Plantation. But I am humbly of opinion, that this grant to Rhoad Island is void in law, because the country of Narragansett Bay was granted before to Connecticutt, and that therefore the Government of Narrogansetts Bay doth of right belong to Connecticutt, and not to Rhoad Island. All which is submitted to your Honnours great wisdome.

THO. TREVOR.

October 28th, 1696.

JULY, 1663.

DOCQUETT.

RHOAD ISLAND, &c.)
 Corporation. }

His Majesty is hereby graciously pleased to incorporate severall persons of the colony of Road Island and Providence plantations, in New England, into one body politick, by the name of the Governour and Company of the English colony of Rhoad Island and Providence Plantations in New England in America, and to grant them the several lands, powers, priviledges and authorities, and with such non obstanter, and clauses as was directed to be inserted by warrant under his Majesties sign manual to Mr. Attorney Generall, procured by Mr. Secretary Morrice.

Sir Francis Pemberton's opinion in the case of the purchasers and proprietors of lands in the Narraganset country.

THE CASE.

King James the First in the twentieth year of his reigne, by letters pattent, incorporated the Duke of Lenox and divers other persons, by the name of the great Councill of Plymouth, here in England, for the planting ruleing and governing New England, in America, and grants to them and their successors, all the lands, &c. in Amer-

ica, between forty and 48 degrees of northerly latitude.

The said Councill of Plymouth, who never had possession of said land, the 2d of April, 1635, Grant to M. H.* and his heirs all that part and portion of the main lands of New England, beginning att the mouth of the Connecticut river, and from thence to Narraganset river, to be accounted sixty miles in length and breadth, and all Islands within five leagues distance of the premises.

About the same time the said grant was made to M. H. or soon after, severall persons, his Majesties subjects, living in New England, (but without any notice or knowledge of the said grant to M. H.) purchased of the Indian Princes and others, the true and naturall owners and proprietors thereof, divers parcells of land, lying within the limits of the said grant to M. H. as is now pretended, particularly an Island called Rhoad Island, and great part of a tract of land called Connecticut, Narragansett, Warwick and other places; and in the years 1659, and 1660, other parts of the Narragansett country, which places have been possessed by the said purchasers and those deriving from them ever since the said severall purchases, and the said purchases have bin always approved by the severall Governments there, and never disallowed or disapproved of here, and severall towns have been built, many farms and plantations settled, great treasure laid out, and several discents cast.

M. H. nor his heir or any deriveing from him, have never had possession, nor laid out any thing upon the premises, nor made any claime in the said country untill the year 1683, which was about

*Marquis Hamilton.

48 years after the said grant, the said heir by his Attorney claimed the said lands at Boston in New England, which is above 70 miles from the premises, and in another country.

The heir of said M. H. after three score and two years, demands the said premises, or a quit rent.

1. *Quere.*—Whether the heir of said M. H. there haveing been no possession in the said M. H. or heir, nor purchase by them from the Indians; the owners of said lands, nor any thing expended by them in the settlement thereof, may by law recover the premises, and oust or eject the said purchasers and proprietors who are now in possession, or force them to pay a quit rent.

Upon consideration of this case, I am of opinion that the purchasers of these lands and grounds, who bought of the Indian Princes, the heirs and assigns of those purchasers have a good right to those lands and grounds, and the buildings and improvements thereof, and that the heir of M. H. after such purchases, and so long and quiet enjoyment of them under those purchases, ought not upon such a state demand without any possession or claime (for I look upon that pretended claim at Boston, as idle and null) to recover any of the said lands or grounds, or quit rents out of them.

2. *Quere.*—Whether the said purchasers and those deriveing from them, haveing had so long and uninterrupted possession, under a purchase from the naturall owners, and with allowance and approbation of the said Governments there, and after so many towns built, treasure spent, and severall discents cast, have not an undoubted and unavoidable title to the said lands by them purchased and possessed.

I am of opinion, that these purchasers by vertue

of their purchasers and so long uninterrupted possession under them, have an undoubted right and title to these grounds and lands, and the buildings and improvement of them, and ought not now after so much money laid out upon them, and such enjoyment of them, be disturbed in their possession of them.

3. *Quere.*—Whether if the heir of the said M. H. if he sues the said purchasers, ought not to sue them in New England, where the lands in controversy lye &c.

I think regularly by the rules of our laws, any action brought for these lands or grounds, and the houses and buildings on them, ought to be where the lands lie.

FR. PEMBERTON.

— 1696.

Copy of a Letter from the Governor and General Assembly of the Colony of Connecticut, to Gen. Winthrop, Agent of said Colony in England.

Hartford, Octob'r 1696.

HONO'RD SIR,

Your Letters of Decemb. 22,-'95, and of Feb. 5,-'95, and of May 23d, '96, are come safe to us, and we rejoyce in them to hear of your welfare, and that you are in a hopfull way of recovery from a dangerous sicknesse, and doe count ourselves greatly obliged to bless and prayse the Lord for his goodness and mercy to you and us therein, we had expectations of your return the last fall,

but were disapoynted therein, but we know not but it is for the best, and that by your stayeing there, you may prevent some inconveniencies that might otherwise have overtaken us, and especiall now New York agints are at Court, and posibly to move against us, and we doubt not but your Hono'r will allways be ready as there is opportunity to move at Court on our behalfe and to prevent the designes of any against us to o'r damage ; Col. Fletcher is allways troubleing us with his letters and calling for o'r Quotae for his assistance, upon every flying report of Indians or others ; this sumer he sent for o'r Quoto of men, we sent him sixty men under the comand of Capt. Wm. Whiting, who marched so farr as Wyantekak, (a place your Hono'r well knowes) and there a post w'ch we sent to Albany to see what danger they were in, he informed us that the enemie were retreated and so he (for o'r ease) dismiss them, but as soon as they were come home he sends for them again, but we could not learn any great danger they were in, and our neighbours up the river haveing been assaulted and 6 persons slayn and 4 captivated and so at New Roxbury the people being alarmed by the enemie, who killed 2 men and 3 children, we sent forth about sixty men to their releife who persued but could not com up with them, since the enemie kiled one neer at Hadley and shot at divers travelling between town and town, and the people being distressed by these things, sent to us for relief the last week, and then we sent up forty men to their assistance which must stay there till ye winter comes in to prevent there passage over the lakes and down our rivers, all which puts us to great charge, and yet o'r neighbours on both hands do not thinke we doe enough for them, and therefore

there is very great need of your Hono^rs petitioning his Ma^tie for redress against Col. Fletchers unreasonable demands, that so we may playnly be informed of o^r duty and be inabled to attend it, and so be freed from the troubles of his demandes, which are so often that we are faine to have so many meetings to answer him that it brings charge as well as trouble to us ; as we doe not fully understand what Col. Fletchers agents have or will object against us, but last year we sent sundry of his letters and o^r answers, by which you will understand something of ye manner of treating us ; and at this time you will also receive some late letters and demands of his, and our answers to them, which will give you more light in these affayres. Sr we have allso inclosed an address to his Ma^tie which we request you to peruse, and if you approve thereof to pr^sent his Ma^tie with it, and if you dislike it we leave it with you by good advice to prepare and present his Ma^tie with an address in o^r behalves, and to doe what further shall be needfull for you as o^r agent to doe for us. Sr you may remember in o^r address to his Ma^tie October 28, 1695 we petitioned his Ma^tie to bestowe some arms and ammunition upon us whereby we might be able to defend o^rselves and neighbours and offend o^r enemies, but you mention nothing to us in your letters, whither you did present it nor how it was accepted, therefore if it be not don we desire you would doe it yet, for indeed we have great need, and we are disinabled of procureing such supplyes as we need by reason of the loss and damage we have received in o^r crops these two last years, we hope his Ma^tie will be fawourable to us therein.

Sr we shall take care to send you some money to enable you to attend o^r affayres, we are sorry

o'r last hundred pownd sent, went into the hands of the French; we are now designeing two hundred pownd to you more, which we hope may com safe to your hands, of which you shall receive a more perticuler acc't.

Hono'ed Sr, we are very sorry to understand the discouragements you are under for want of o'r letters, we find they have miscaryed in there way to you, we should much rejoyce to see you here, and then the trouble and care of letters would be over, and we hope God in his good time will give us opportunity of seeing you, and rejoycing together with you in all that goodness God hath shewen to you and us since you left us, and we have thought meet to desire you, when you return home to improve some trusty friend, that may have an interest at Court that may upon any occasion defend o'r interest, and to acquaint us what may be advantagious for us, and how we are to demean ourselves in all that trust that is comitted to us by his Ma'tie in all affaires that doe concern his interest at home or abroad, approving ourselves to be good and loyall subjects, which is all at present.

From your friends and servants, heartily desiring and praying for your prosperity and welfare, and safe returne in Gods time.

The Govern'r and Gen'ell Assembly of his Majesties Colony of Connecticutt.

A Letter from the Rt. Hon. the Lords of the Committee of Trade, relating to the Militia of Connecticut, &c.

GENTLEMEN—

His Majesty having been frequently informed of the regard which severall of the colonies concerned have had, to the Quota appointed by her late Majestie of blessed memory, in the year 1694, to be observed durement this warr, for the defence of the frontiers of the territories of the province of New York, in the following proportions, viz :—

Connecticut,	120
Rhoad Island and Providence,	48
Massachusets,	350
Maryland,	160
Virginia,	240
New York,	200
Pensilvania,	80
And any part of the Militia of East and West Newjerseys not excee- ding	700

1898

And his Majesty being at the same time sensible of the necessity of that contribution, either in men or money for the general security of his colonys on the continent of America ; hath commanded us to signifie unto all those above named, that it is his pleasure they should each of them contribute and pay their respective proportions to the Government of New York, according to her late Majesties foresaid regulation. We therefore recommend it to your care, that in relation of the colony of Connecticut, his Majesties pleasure

therein be for the future punctually observed and executed.

His Majesty having also been informed by complaints from severall hands, of the undue methods practised in some of his colonies for seducing the inhabitants from others, and being sensible how much that practice is contrary to the common interest of the whole, hath commanded us to write unto the severall Governours or Government of each colony, that they take care that effectuall laws be made in each of their respective Governments against the receiving and harbouring not only of deserters, but also of such fugitives as leave any of his plantations contrary to the laws provided for the purpose in each plantation respectively; which therefore we also now accordingly recommend to your observation.

And whereas his Majestie hath also received complaints, that the entertainment given the pyrates in some of his colonies, and more particularly those under distinct proprieties, had occasioned ill minded persons, seamen and others, to desert their habitations and apply themselves to such wicked and destructive courses, to the great weakening and dispeopleing of the colonies so abandoned by them, and to the great dishonour of the English nation, whereupon he hath also required us to write to the severall proprietors and Governours of all his plantations, that due care be taken for the future, that no pyrates or sea robbers be any where sheltered or entertained, under the severest penalties, we are obliged therefore to require your strict care, as we do others, that all manner of discouragement be given in the colony of Connecticut, both to the rise and progress of such undertakings, and that upon the discovery thereof the offenders be punished according to the

utmost severity of the law—We are your very affectionate friends.

J. BRIDGEWATER,
PH. MEADOWS,
JOHN POLLEXFEN,
JOHN LOCKE,
ABR. HILL.

White Hall, February the 9th, 1696-7.

For his Majesties especial service.

To the Honnourable the Governour and Company of his Majesties Colony of Connecticutt, in America.

A Letter from the Right Hon. the Lords of the Council of Trade, relative to Pirates, &c.

COCKPIT, MARCH the 21th, 1697

GENTLEMEN—

Whereas great complaints have been made and daily continue, of manifold mischiefs comitted of late years, in the East Indias, and other parts of the world, by pyrates and sea robbers; and of the too favourable entertainment, protection and encouragement which it is notorious, have been given to many of them in severall of his Majesties colonys in America, both in their preparation and fitting out from thence, and in their return thither, as to a secure receptacle. His Majesty takeing the same into consideration, together with the further consequences of such like pernicious practices, which by the resentment of Princes and States

concerned and otherwise, will infallibly more and more tend to the prejudice of trade, and bring great scandall upon the English name and nation. And desireing that this evill may be at once effectually cured in the root and spring of it, hath thereupon been pleased to direct us to send unto the Governours of all his plantations in America, copies of an act past on the Island of Jamacia, *for restraining and punishing of Privateers and Pyrates*, which may be very usefull for that end, and to require all his said Governours respectively, to use their utmost endeavours with the assemblies, in each of his said plantations, for the passing of acts there to the same effect, and when past, to be very vigilant in the exact execution thereof. Wee therefore accordingly send you herewith a copy of the said act, that his Majesties pleasure may be punctually observed in the colony of Connecticut, and that you may give us an account of your proceedings therein—So we bid you heartily farewell.

Your very loving friends,

J. BRIDGEWATER,
PH. MEADOWS,
JOHN POLLEXFEN,
ABR. HILL,
WILLIAM BLATHWAYT.

For his Majesties especial service.

To the Honnourable the Governour and Company of his Majesties Colony of Connecticut, in America.

Connecticut.

— — — — —

1. The first of these is the fact that the
 2. The second of these is the fact that the
 3. The third of these is the fact that the

[illegible]

for the Government of that our said colony. So we bid you heartily farewell.

Given at our court, at Kensington, this 22d day of Aprill, 1697, in the ninth year of our reign.

By his Majesties command,

SHREWSBURY.

To our trusty and well beloved, the Governour and company of the colony of Connecticott, in America—Connecticut.

A Letter from William Popple, Esqr., to Gov. Winthrop while in England, as Agent for the Colony of Connecticut.

WHITE HALL, Aprill the 23th, 1697.

SIR—The Lords Commissioners of the Councill of Trade, have commanded me to send you the inclosed copy of the petition of the Dutchess of Hamilton, with his Majesties order in Councill upon it, relating to the Narraganset country; that you may consider thereof, and offer to their Lordships in writing, (on Monday next in the afternoon, or so soon as conveniently you can,) what reasons you conceive the Governour and company of Connecticutt have, why the prayer of the said petition should not be granted.

I am, sir, your most humble servant,
WM. POPPLE.

A copy of the Petition of Anne, Dutches of Hamilton, to the King.

TO THE KING'S MOST EXCELLENT MAJESTY—

The humble Petition of Anne, Dutches of Hamilton, Daughter and heir of James, late Duke of Hamilton, sheweth—

That your Petitioner, is by vertue of an antient grant, made to the said James, Duke of Hamilton, intituled to a tract of land in America, formerly called the county of New Cambridge, and now known by the name of the Narragansett country, or the Kings Province, and to severall islands adjacent thereunto, as by the annexed state of the case may more fully appear; which said tracts of lands your petitioners father intended to settle, untill he was prevented by the rebellion in England, wherein he espouseing the royall cause of King Charles the first, lost his life, leaving your petitioner very young, duering which warr, and your petioners minority, severall persons possessed themselves of the best, and considerable part of the said tract of land and islands, without any title derived from your petitioners said father, or herself, and have never paid any quit rent, or made any acknowledgement for the same, though your petitioner and her late husband, William, Duke of Hamilton, made frequent claims to it after the restauration of King Charles the second, and offered, as your petitioner still does offer, to confirme to the planters, their respective settlements under such reasonable acknowledgments as are paid by other planters in the like cases.

Your petitioner therefore most humbly prays your Majestie to give order, that she may be es-

tablished in her right to the said tract of land, and that the said inhabitants may pay her such quit-rents for her lands they have taken upp, as your Majesty in your great wisdom shall think just, and that the residue of the lands unimproved may be put into your petitioners possession, and your petitioner will ever pray.

A true copy.

WILLIAM BRIDGEMAN.

His Majesties order in Council, upon the petition of Anne, Dutches of Hamilton.

At the Court at Kensington, }
the 22d day of April, 1697. }

PRESENT.

The Kings most excellent Majestie in Council.

Upon reading this day at the Board, the humble petition and case of Anne, Dutchess of Hamilton, daughter and heir of James, late Duke of Hamilton, his Majesty takeing the same into his Royall consideration, is pleased to order in Council, that the said petition, and case, (copies whereof are annexed,) be, and are hereby referred to the Right Honnourable, the Council of trade, for their consideration, and to report the state of the matter with their opinion, what they conceive his Majesty may fitly do therein, for the honnourable petitioners just satisfaction.

WILLIAM BRIDGEMAN.

A Letter from Wm. Popple Esqr., to Gov. Winthrop, enclosing a copy of the case of the Dutches of Hamilton, relative to Narraganset country.

WHITE HALL, APRILL the 26th, 1697.

SIR—According to your desire I send you herewithall a copy of the case of the Dutchess of Hamilton, and am thereupon commanded by the Lords Commissioners of the Councill of Trade, to desire you to dispatch your answer thereunto without delay.

I am sir your most humble servant,
WILLIAM POPPLE.

The case of the Dutches of Hamilton, presented to the King in Council.

Third November, 1620, King James the first, by Letters Pattent, incorporated the Duke of Lenox, Marques of Buckingham, and divers others, by the name of the great Councill of Plymouth, in the county of Devon, for the planting, ruleing, ordering and governing New England, in America, and grants to them and their successors, all the lands, &c. in America, lying between forty and forty eight degrees of northerly lattitude, and all islands, seas, rivers, creeks, inlets and havens, within those degrees, reserving only a fifth part of the oar gold and silver.

Twenty second Aprill, 1635, the great Councill of Plymouth, reciting the letters pattent above, in performance of an agrement amongst themselves, and for a competent summ of money, grant to your petitioners father, James then marquess of Hamilton, (afterwards Duke of Hamilton,) his heirs and assigns, amongst other things, all that part and portion of the main lands of New England, beginning at the middle or mouth of the entrance of Connecticutt river, and from thence along the sea coast to the Narragansett river or harbour, to be accounted sixty miles in length and breadth, and all islands and isletts, as imbayed as within five leagues distance of the premises, and abutting upon the same or any part thereof, not otherwise granted by any by speciall name, and appoints the premises to be called from thenceforth by the name of the county of New Cambridge.

1636, the Duke of Hamilton sent over an agent to survey and settle the country, but the civill warr beginning soon after, and the Duke of Hamilton being engaged in the Kings service, had no further leisure to look after his interest in America ; and the revolt of those colonys from the King, made it impracticable for him so to doe.

The Duke of Hamilton lost his life for the King, and leaving your petitioner, his daughter and heir, under age, whose misfortune, as well as minority, incapacitated her to assert her right.

Duering this time severall persons from other adjacent colonies settled themselves on the petitioners lands, without any legall authority derived from her or her father.

1664, after the restoration of King Charles the second, the late Duke and present Dutches of Hamilton, made their claime by petition to the

King, who referred it to the Commissioners then appointed to settle the affairs of New England, to examine the petitioners title, and restore them to their right, or to report their opinion to the King.

This reference did not arrive, till two of the Commissioners, vizt. Sr Robert Carr and Coll. Cartwright were returned to old England; but the other two Commissioners, Collonel Richard Nicholls and Mr. Mavericke, in one thousand six hundred sixty six, reported that the grant made to the petitioners father, took in all Rhoad Island colony and about half of Connecticutt, and that the Sachems of the Narraganset country or King Province, had in one thousand six hundred forty four, (~~which twenty three years~~ after the grant from King James the first to the Councill of Plymouth, and nine years after their grant to the Marquess of Hamilton,) by a deed surrendered themselves and country into the protection of King Charles the first; and that two of those very Indian Kings delivered the same deed to the Commissioners in one thousand six hundred sixty four, who thereupon entered into the country in the name of King Charles the second, and named it the Kings Province, and appointed Justices of the peace to govern it till the Kings pleasure were further known.

Notwithstanding this evasive report, taking no notice of the petitioners claime, King Charles the second issued out a proclamation, prohibiting all persons to intrude or plant on the said Narro-gan-set country, to prevent the irregular settlements which have since happened in that place, of which the petitioner complains.

1682, King Charles the second appointed Mr. Cranfield, Mr. Dudley, Commissioners for exam-

ining the titles of all persons claiming right in the Narroganset country.

The late Duke of Hamilton and the petitioner haveing notice of this Commission, impowered Mr Edward Randolph to exhibit their title before Commissioners, but they had finished and sealed up their report before he arrived there.

Mr. Randolph notwithstanding made his application to the Commissioners, and produced the petitioners title before them, but the fleet being then ready to sail for England, and the persons of whom the petitioner complained, being then not present, the Commissioners only made a short report, that they had seen the petitioners grant, and that it comprehended the greatest part of Narroganset country, and that they had sent copies of it to the planters who had intruded into that country without title, that they return their answer to England.

1687, Sir Edmund Andross, then Governour of New England, received a Commission to make further enquiry into the propriety of the Narroganset country, who upon a full hearing of all persons then possessing that country, reports, that the possessors had no legall title, but were intruders, and that the grants of that country to Connecticutt and Rhoad Island people, which were obtained from King Charles the second, in one thousand six hundred sixty two, and one thousand six hundred sixty three, were got by surprize and false suggestions of some former grants, which he averrs in that report were never made.

Of this Commission and report, the petitioner had no manner of notice, and therefore could make no claime before him, otherwise the petitioner makes no doubt but her title had been sustained at that time.

MEMORANDUM.

Upon the twenty ninth of Aprill, 1697, the Earle of Aran delivered to the Councill of Trade, another copy of the case of Ann Dutchess of Hamilton, in which the paragraph beginning, Mr. Randolph, notwithstanding, &c., was altered in the words following—

Notwithstanding, the Commissioners being closed, upon the application of Mr. Randolph, they gave in an additional report in the year 1683, wherein they declare, that they had summoned the proprietors who made claime to the Kings Province or Narragansett country, and in their presence had read the copie of the Duke and Dutchess of Hamiltons deeds, and heard Mr. Randolphs pleas and improvements thereon, as agent for the Duke and Dutchess of Hamilton, and have also received the answer and defence of the said proprietors, and at the same time they did also order copies of the deeds of the Duke and Dutchess of Hamilton to be sent to the colony of Connecticutt, to the end that they might make answer thereunto, which was don in eighty three, and in December following, the Governour and Councill of Connecticutt, gave in their answer to the Duke and Dutchess claime, which the petitioner is ready to produce, with the reply thereunto.

Copy of a Memorial laid before the Lords of the Council of Trade, by Gen. Winthrop, relative to the Petition of the Dutches of Hamilton, to the King.

To the Right Honourable the Lords Commissioners of the Councill of Trade and Plantations. The memorial of Major General Winthrop, agent for his Majesties colony of Connecticutt, in New England.

In obedience to your Lordships commands, intimated to me by Mr. Popple, that I should give an answer to the Dutchess of Hamiltons Petition and complaint to the King; I humbly offer that the matter of the said complaint concerns a great number of people in New England, who as yett have no notice thereof, and that all the deeds and writings that serve to make out the title of the persons in possession, to the lands in controversy, are in New England.

That I have no instructions in the matter, nor directions to appear for any of the persons concerned, but hope notice will be sent, and a convenient time allowed them before any determination be had in a matter of so great weight and concernment.

J. WINTHROP.

Aprill 30th 1697.

A Letter from the Lords of the Council of Trade, relating to the Dutches of Hamilton's claim, the controversy between Connecticut and Rhode Island, the Militia of Connecticut, &c.

GENTLEMEN—

Wee send you herewith the duplicate of a letter that we writ you the 9th of February last, and the copy of one sent you the 22d of April last, both of which were delivered to Major General Winthrop to be accordingly transmitted. And he being himself about to return to you, we must acquaint you that he has dilligently solicited all things that concern the colony of Connecticut.— The Dutches of Hamilton haveing renewed her claime to the property of the Narragansett country, we have delivered unto him copies of her petition and case, upon which we haveing laid our opinion before their Excellencies the Lords Justices; so soon as any resolution is taken thereupon, either by their Excellencies or his Majesty, we shall not fail to give you such notice thereof as may be requisite. It haveing been impossible for us to determine any thing upon the controversy between you and Rhoad Island, about the Government of the Narragansett country, because nobody has appeared before us, on the behalf of Rhoad Island; we cannot but offer to you our opinion, that an amicable agreement between yourselves about the boundaries of your two colonies, may be for mutuall advantage, and thereupon exhort you (as them) to apply yourselves unto the Right Honnourable Earl Bellemont, that he would please to assist you on both sides, in the compromising of your differences: which if it according-

ly succeed, then we desire you to send us over by the first opportunity, authentick copies of your said agreement; that it may by that means be made fixt and unalterable. But if through any obstinacy, either on your part or theirs, our intentions in this method of a friendly compromise be frustrated, we have then desired his Lordship to give both you and them notice to send over agents hither as early as may be, the next spring, in order to a finall determination of that matter, upon a full hearing of both parties. His Majesty having been pleased to appoint his said Lordship, the Earl of Bellemont to be Governour and Commander in Chief of his Provinces of the Massachusetts Bay, New York and New Hampshire, with powers also of Capt. Generall over the colonies of Connecticott, Rhoad Island and other places; explaining however his Royall intention therein, that in time of peace, the Militia within each of the said colonies, be left to the Government and disposition of the respective Governours of the same; yet so nevertheless that in case of apparent danger or other exigency, his Lordship do at all times take upon himself the superiour command of those forces according to the tenor of his comission, you are accordingly upon all occasions relating to the colony of Connecticott, to give obedience to his Majesties pleasure therein. Whereas the Lords spirituall and temporall in Parliament, did by an address in their last session, humbly represent to his Majesty, as a matter of great importance both to this Kingdom, and to his Majesties plantations in America, that the many good laws, which have from time to time, been made for the Government of the said plantations should be strictly observed and putt in execution, and in order thereunto did humbly propose to his

Majesty, that the severall proprietors of the plantations, where his Majesty hath no Governours of his own nomination, may enter into security that their respective Deputy Governours shall from time to time observe and obey all instructions that shall be sent to them from his Majesty, or any acting under his authority, pursuant to the acts of trade, relating to the plantations, and peticularly (the colonies of Connecticott and Rhoad Island and Providence plantation, having their Governours and assistants chosen annually by the people there, having no proprietors here in England, and being become a great receptacle for Pyrates, and carrying on severall illegall trades, contrary to the acts for the Government of the plantations) that the Governours of those severall places may therefore be obliged to give the like security in that behalf, his Majesty has thereupon been pleased to direct the Right Honourable the Earle of Bellemont to require such security from the colony of Connecticott, and we give you this notice thereof, in order to your compliance with what has been thus required by his Majestie, in pursuance of the said address of the Lords spirituall and temporall in Parliament—So we bid you farewell.

Your very loving friends,

J. BRIDGEWATER,
PH: MEADOWS,
JOHN POLLEXFEN,
JOHN LOCKE,
ABR. HILL.

White Hall, August the 26th, 1697.

The Hon. the Governour and Company of his Majesties Colony of Connecticott, in New England in America.

A Letter from the Rt. Hon. the Lords Commissioners of the Council of Trade, for publishing the Peace between his Majesty and the French King.

GENTLEMEN—

By order of their Excellencies the Lords Justices, we send you herewithall the Proclamation for publishing the peace lately concluded between his Majesty and the French King, upon the receipt whereof you are required forthwith, to cause the same to be solemnly published, in the usual places within his Majesties territories under your Government, and to give notice to all privateers and comanders of ships throughout said Government to cease hostilities with the French Kings subjects, according to the tenor of the said Proclamation. So wee bid you heartily farewell.

Your very loving friends,

J. BRIDGEWATER,
PH. MEADOWS,
JOHN POLLEXFEN,
JOHN LOCKE,
ABR. HILL,
GEORGE STEPNEY.

White Hall, October the 27th, 1697.

For his Majesties especial service.

To the Honnourable the Governour and Company of his Majesties Colony of Connecticott, in America.

Connecticott.

Att a meeting of the Governour and Council at Hartford, December 24th, 1697.

By order of the Lords Commissioners of Trade and Plantations, the peace between his Majesty and the French King was this day published in Hartford.

Copy of the Petition of John and Nicholas Hallam to the King, and his Majesties reference of the same to the Lords of the Council of Trade, &c.

TO THE KING'S MOST EXCELLENT MAJESTY—

The humble petition of John Hallam and Nicholas Hallam, inhabitants of New London, in your Majesties colony of Connecticut in New England, Executors of the last Will and Testament of Olive Liveen deceased, sheweth that the Right Honourable the Council of Trade, by their representation bearing date the 9th March, 1698,-9, founded on an order of your Majesty in Council, to consider your petitioners case, and represent to your Majesty, that there had been an obstruction of the course of Justice to your petitioners in the courts of the said colony, and that it was your Majesties inherent right to receive and determine appeals from all your Majesties subjects in America, that your Majesty thereupon by order in Council dated the said 9th day of March then following, was graciously pleased to approve the

said report, and to order that your petitioners case and any other whatsoever that may hereafter happen upon differences about private rights, be fairly heard and judged in the proper courts established in that colony, and that in case your petitioners or any other persons should think themselves agrieved by the sentence or sentences which may be there given, they may be thereupon admitted to appeal to your Majesty in Councill, and that in all such cases the Governour and Company of the said colony do take notice that it is the inherent right of your Majesty to receive and determine appeals from all your Majesties subjects in America, and the said Councill of Trade, were by the said order to signify your Majesties pleasure to the said Governour and Company accordingly. That the said order was sent over by the said Councill of Trade to the said Governour and Company, and by them rec'd and openly read in their publick and General Assembly, as by affidavit hereunto annexed, and by a certificate under the seal of the said colony doth appear, and that your petitioners did lately bring their suit in the Prerogative court of New London aforesaid, against John Winthrop Esqr., Governour of the said colony, and Edward Palmes Esqr., Executors named in the pretended last Will and Testament of John Livecn deceased, for that the said John Liveen was non compos mentis when he made his said Will, and that the said Liveen by a former Will, haveing no children of his own, had given his whole Estate to your petitioners, and to their Mother, then wife of the said Liveen. And that altho your petitioners did fully and plainly prove insanity, yet the said court gave judgment against your petitioners, whereupon your petitioners appealed to the court of assistants, a Supreme court

held at Hartford, in the colony aforesaid in May last, where the said former judgment was affirmed. That your petitioners did their pray the benefit of your Majestys said order, and did desire and demand of the said court an appeal to your Majesty in Councill, but the said court did absolutely and positively deny and refuse the same, and the said Winthrop, who is not only Governour of the said colony, but one of the judges of the said court, did then publickly declare no appeals from thence should be allowed to your Majesty in Councill, and before any should be allowed, they would dispute that point with your Majesty, as by affidavit annexed doth appear.

That your petitioners being deprived of the benefit of yo'r Majestys said gracious order, by the said courts contempt thereof, your petitioner, Nicholas Hallam, hath been necessitated to take upon him the fatigue and expence of a voyage to England, in order to make further application to your Majesty for their relief (of which your petitioners gave the defendants timely notice) as by affidavit annexed appears, and to that purpose your petitioner has brought over sufficient and authentick copies of all the papers and records in the said cause, under the hand of the Secretary, and the seal of the colony.

Your petitioners therefore most humbly pray their said cause may be heard and determined by your Majesty in councill, or that your Majesty would be graciously pleased to give such orders and directions on your petitioners behalfe, as that your petitioners appeal may be allowed, and the same heard and determined by your Majesty in

Councill ; and your petitioners, as in duty bound, shall ever pray, &c.

JOHN HALLAM,
NIC. HALLAM.

August, 1798.

A Letter from the Right Honorable, the Lords of the Council of Trade, relative to Pirates and Privateers.

WHITE HALL, Oct. ye 25th, 1698.

GENTLEMEN—

We have received a letter in the name of the Governour and Company of Connecticott, signed by the Secretary, and dated the 27th January last ; as also another signed by Major Genl. Winthrop your present Governour, dated the first of July last, in which he sends us the copy of an act of that colony against Pirates and Privateers, and promises ye copies of the whole body of acts or laws of that colony which we formerly desired, the obligation that lies upon us to inspect the laws of all his Majesties plantations in America, and the frequent occasions we have to do so, make it absolutely necessary that yours be all of them transmitted to us ; and therefore we again repeat our desire, that it may be done in authentick form without delay, as for what relates particularly to pyrates ; tho laws be necessary, we observe that in most places, execution is more wanted than laws. And therefore we recommend to you a vigilant care that all persons who

may be justly suspected of such practices be seized and prosecuted with the utmost rigour that the law will allow, for they deserve it all, and it is notorious that many such do land, sometimes in one place and sometimes in another, and remove from colony to colony, or settle where they think themselves most secure: which could not be done, if the severall governments there, were so watchfull as their duty requires them; and we should be glad to se som instance of your diligence in that kind. We observe also that some sorts of illegall trade have a great connection with piracy, perticularly that to Madagascar, from whence East India comodities, pyratically taken, are brought over to the plantations, and there connived at; and this we have reason to believe the colony of Connecticott is not wholly free from. The seizure of some East India goods that was made, or endeavoured to be made, in the beginning of July last, by Capt. Culliford, at Stanford, in Major Sellick's and his sisters houses, and the opposition made thereunto, are an undeniable proof of som sort of guilt, and we therefore desire you to send us an exact account of that transaction, and to have a constant care in all these matters, of what his Majesties service, and the interest of England requires from you—so we bid you heartily farewell.

Your very loving friends,

J. BRIDGEWATER,
PH. MEADOWS,
JOHN POLLEXFEN,
ABR. HILL.

For his Majesties especiall service, to the Honourable, the Governour and Company of his Majesties colony, in America. Connecticutt.

Instructions from the Lords Justices of England.

*Tho. Cantuar,
Somerset,
Pembroke, E. S. S.
Marlborough,
Romney,
Orford.*

By the Lords Justices.

Instructions for the Governour and Company of his Majesties colony of Connecticut, in America.



Given at White Hall, the 10th day of Novr. 1698, in the twelfth year of his Majesties reigne.

His Majesty having been informed that the Navall Officers, being the persons appointed by the Governours in his respective plantations in America, to take bonds and give certificates for clearing of ships, have generally neglected to comply with the direction of the late act of Parliament for preventing frauds and regulating abuses in the plantation trade, which requires their giving security to the Commissioners of the customs in England, for the due discharge of their trust, and it haveing been further represented to his Majesty, that beside the security which the said navall officers are obliged by law to give, it would be very expedient that (according to the constitution of the customes in England which has provided a controul upon the action of every officer imployed therein,) the concurrence of the collectors appointed by the commissioners of the customes in his Majesties plantations, should also be necessary to so important an act as that of signing certificates for clearing of ships. His Majesty takeing the same into consideration, is hereby pleased to declare his will and pleasue, and you are accordingly hereby required, to take care that the naval

officer or officers, in his Majesties colony of Connecticut in America, under your government, do give security for the due discharge of his or their trust, to such person as is or shall be appointed by the comissioners of the customes for that purpose, according to the direction of the forementioned act of Parliament, and likewise that you do not admitt or allow any certificates signed by the navall officer or officers aforesaid ; for the clearing of ships within his Majesties said colony of Connecticut to be valid and effectuall, for that end, without the concurrence of the collector appointed there, by the comisioners of his Majesties customes.

By their Excellencies command,

JA. VERNON.

A Letter from the Rt. Hon. James Vernon, one of his Majesties Secretaries of State, for the apprehension of Capt. Kidd.

White Hall, 23d November, 1698.

GENTLEMEN—

The Lords Justices being informed by several advices from the East Indias, of the notorious Piracies comitted by Capt. Kidd, Commander of the Adventure Galley, and of his having seized and plundered divers shippes in those seas. As their Excellencies have given order to the Commander of the Squadron fitted out for the East Indias, that he use his utmost endeavours to pursue and seize the said Kidd, if he continue still in those parts, so

likewise they have comanded me to signifie their directions to the respective Governours of the colonies under his Majesties obedience in America, that they give strict orders, and take perticular care for apprehending the said Kidd and his accomplices, whenever he or they shall arrive in any of the said plantations, as likewise that they secure his ship and all the effects therein, it being their Excellencies intention, that right be don to those who have been injured and robbed by the said Kidd, and that he and his associates be prosecuted with the utmost vigour of the Law. You are to be carefull therefore, duly to observe the said directions, and if the said Kidd, or any of his accomplices happen to be seized within the province under your Government, you are forthwith to transmitt an account thereof hither, and take care that the said persons, shipp and effects be secured, till his Majesties pleasure be known concerning them. I am Gentlemen, your most faithfull humble Servant,

JA. VERNON.

To the Governour and Company of his Majesties Colony of Connecticott in America.

Note.—Capt. Kidd was an Englishman by birth, a mariner of high reputation, and in the Reign of William 3d he became master of a Privateer in the West Indies, with the character of an adept seaman, a bold and daring officer. The Governor of Barbadoes interceded with the Crown to give Kidd power to suppress piracy and place him in the command of a Government ship for this purpose. The Crown issued a Commission to Capt. Kidd to that effect, with the title of Admiral of England, dated Dec. 11, 1695, with power to apprehend all pirates and freebooters and bring them to legal trial. Indeed so implicit was the confidence of the King in him at that time, that he entrusted him with another Commission, that of reprisals to take French Merchant ships, during the war with England and France. In 1696 Kidd sailed from Eng-

land to New York, armed with thirty guns and about 80 men. On his arrival at New York he doubled his number of hands and put again to sea. The first dishonest or piratical act of Kidd was at Mabee, on the Red Sea, when he took a quantity of corn; after this, he soon pursued the life of a pirate, and a more blood thirsty, daring and cruel one, did not sail the ocean. He was for some time about the coast of Malabar, where he plundered many small vessels and a Portuguese ship, and murdered some of their crew. Soon after the ship *Queda* of 400 tons fell into his possession, a part of the cargo he sold for \$40,000. Kidd then sailed for Madagascar and became a terror to his own countrymen, as dangerous to the lives of his fellow-men, and to the commerce of the world. The news reaching England, the King offered a pardon, by proclamation to all pirates (excepting Capt. Kidd) who would report themselves before the 30th day of April 1699. A letter from England dated Feb. 10th, 1699, ordered all pirates taken in these Colonies to be sent to England for trial, with the witnesses against them. The King having been informed that some pirates returned from the East Indies had been secured, or rather their effects, which by the aforesaid letter was ordered into the hands of the Governor of New England and New York, with an express order to send home Capt. Kidd, and others who had been seized in several parts of the Plantations, for the purpose of trying them in England. Capt. Kidd was apprehended at Boston, secured with irons, and sent home with others for trial. He buried a chest of specie upon Gardners Island, which was sent for and taken by the Governor of Massachusetts, after Kidds arrest. (A Mr. Gardner now occupant of said Island, has in his possession a piece of cloth, (called gold cloth) which was left there by Kidd himself, and which is yet in a good state of preservation.)

They were tried at the Old Baily for piracy and murder, found guilty, and soon hung at Execution Dock. Tradition says their bodies were suspended in chains near the bank of the River Thames, and there remained exposed for years, to disgrace them, and deter others from the crime of piracy. In the early settlement of the Colony of Connecticut, it was a place of resort and covert for pirates, particularly at the mouth of Connecticut River; so much so, that the General Court of this Colony passed several acts upon the subject, to apprehend and punish them. About the time that Kidd was at New York and Boston, (tho' his name is not mentioned upon the record,) Culiford and other pirates, the friends and accomplices of Kidd, were in the Atlantic, which probably caused the aforesaid letter to be transmitted to this Colony. But the ridiculous idea that some have entertained, that the ill gotten gains of Kidd were deposited in the Green Mountains of Vermont, or any

other part of the interior of New England, which he procur-
ed at Malabar or elsewhere, is quite too contemptible to credit.
But that such a man existed and visited this coast the aforesaid
letter evidently proves, tho' it has often been denied—at least
doubted.

*A Letter from the Rt. Hon. James Vernon, one of
his Majesties principal Secretaries of State, rel-
ative to ships of force fitted out in Scotland.*

White Hall, 2d January, 1698,-9.

GENTLEMEN—

His Majesty haveing received advice from the
Island of Jamacia that severall shippes of force,
fitted out in Scotland, were arrived at the Island of
St. Thomas, with an intention as they declared to
settle themselves in some parts of America, their
designe being unknown to his Majesty, least the
same should derogate from the treatys his Majes-
ty hath entered into with the Crown of Spain, or
be otherwise prejudiciall to any of his Majesties
Colonies in the West Indias, his Majesty com-
mands me to signifie his pleasure to you, that you
strictly enjoyn all his Majesties subjects, or others
inhabiting within the districts of your Govern-
ment, that they forbear holding correspondence
with, giving any assistance to any of the said per-
sons, while they are engaged in the foresaid enter-
prize, and that no provisions, arms, ammunition or
necessaries whatsoever be carried to them from
thence, or be permitted to be carryed, either in
their own vessells, or any other shippes or vessels

for their use. His Majesty requires that you do not fail herein, but take particular care that the above mentioned directions be duly observed, and that you send hither an account of your proceedings in the execution of these his commands.

I am Gentlemen, your most humble Servant,
JA. VERNON.

To the Governour and Company of his Majesties Colony of Connecticutt, in America.

A Letter from his Majesty William 3d, commanding that all Pirates seized here shall be sent to England, &c.

WILLIAM R.

Trusty and well beloved, wee greet you well. Whereas we have been informed that several Pyrates have been lately seized in our Plantations in America, and it being necessary that due care be taken for bringing them, and all others that may in like manner be seized hereafter to condign punishment, wee do hereby strictly charge and require you to send hither in safe custody, all Pyrates, who are or shall be seized in our colony of Connecticut, under your Government, at the time of your receiving this direction, and also to send the witnesses and other evidences upon which the said Pyrates have been seized, and which may be of any use towards their conviction here, that so they may be tryed and punished according to law, and in the mean while to take care that the goods

and effects of the said Pyrates be secured, that so they may hereafter be disposed of as shall by law be determined.

Which method of sending Pyrates, together with the evidences produced against them, and securing their effects, you are upon pain of our displeasure in like manner to observe from time to time, as a standing rule, with regard to all the other Pyrates that shall at any time hereafter, be-seized in our said colony of Connecticott.

And so wee bid you farewell—Given at our Court at Kingston, the tenth day of February, 1699, in the eleventh year of our Reigne.

By his Majesties command.

JERSEY.

To our trusty and well beloved, the Governour and Company of our Colony of Connecticut, in America. Connecticut.

A Letter from the Right Honorable, the Lords Commissioners of the Council of Trade, relative to his Majesties order in Council on the Petition of Major Palmes and the Hallams.

White Hall, April the 24th, 1699.

GENTLEMEN :—

In pursuance of an order, made by his Majesty in Councill, upon a representation which we laid before him the 9th of March last, relative to the petitions presented to his Majesty by John and Nicholas Hallam, and by Edward Palmes and

John Hallam, inhabitants of Connecticut, wherein they complain of the obstruction of justice in that colony ; we send you here enclosed, his Majesties said order, and together therewith, we also send you copies of both the said petitions, upon which our representation was made ; and as you will thereby fully understand, what it is that his Majesty requires from you, you are further to take notice that he expects your speedy and punctuall obedience thereunto, as you will answer the contrary. So we bid you heartily farewell.

Your very loving friends,

J. BRIDGEWATER,
PH. MEADOWS,
JOHN POLLEXFEN,
WILLIAM BLATHWAYT,
ABR. HILL.

To the Honnourable thé Governour and Company of his Majesties colony of Connecticott, in America. Connecticut.

His Majesties order in Councill, concerning Major Palmes, and John and Nicholas Hallams cases.

At the Court at Kingston, }
the 9th of March, 1698. }

The Kings most Excellent Majesty in Council.

Upon reading this day at the Board, a representation from the Councill of Trade, in the words following :—

MAY IT PLEASE YOUR MAJESTY :—

In obedience to your Majesties several orders in Councill of the 23d of February last, wee have considered the petitions of John and Nicholas Hallam, and of Edward Palmes and John Hallam, inhabitants of your Majesties colony of Connecticut, thereunto annexed, relating to two peticular cases, wherein they complain of the obstruction of justice in the said colony.

And wee thereupon most humbly represent to your Majesty, that tho the rights of either of the said cases, do not appear unto us by any sufficient proofs, and we cannot therefore offer any opinion thereupon, yett nevertheless we humbly conceive, that upon what has been sett forth by the forementioned petitioners about the denyall or obstruction of the course of justice in your Majesties colony of Connecticott, your Majesty may fitly require the Governour and Company of the said colony, to take care that no such obstruction of the course of justice be practiced or allowed amongst them; but that the respective cases sett forth by both the formentioned petitions, and any other cases whatsoever, that may hereafter happen upon differences between man and man, about private rights, be fairly heard, and judged in the proper methods of the courts established in that colony, and that in case the foresaid petitioners or any of them, or any other persons do think themselves aggrieved by the sentance or sentances which may be there given, they may thereuppon be allowed to appeal unto your Majesty in Councill, and that the copys of records and other proceedings in all such respective cases, be transmitted hither, in order to a finall hearing and determination thereof, by your Majesty in

Councill, it being the inherent right of your Majesty to receive and determine appeals from all your Majesties subjects in America, which nevertheless is most humbly submitted.

TANKERVILLE,
PH. MEADOWS,
WILLIAM BLATHWAYT,
JOHN POLLEXFEN,
ABR. HILL.

White Hall, March the 9th, 1698-9.

His Majesty in Councill, approveing of what is proposed by the Councill of trade in the said representation, is pleased to order that the Governor and Company of the colony of Connecticott be required to take care that no obstruction of the course of justice be practiced or allowed amongst them, but that the respective cases mentioned in the said representation, and any other whatsoever that may hereafter happen upon differences between man and man about private rights be fairly heard and judged in the propper methods of the courts established in that colony, and that in case the petitioners in the aforesaid causes, or any of them, or any other persons shall think themselves agrieved by the sentance or sentances, which may be there given, they may thereupon be allowed to appeal to his Majesty in Councill, and that copies of all records, and other proceedings in all such respective cases be transmitted hither, in order to a finall hearing and determination thereof, before his Majesty in Councill; and that in all such cases the Governour and Company of the colony of Connecticott do take notice that it is the inherent right of his Majesty to review and determine apeals from all his Majesties colonys in America,

and that they do govern themselves accordingly, and the Right Honourable, ye Councill of trade, are to signifie this his Majesties pleasure to the Governour and Company of the colony of Connecticut accordingly.

JOHN POVEY.

A Letter from the Rt. Hon. James Vernon, one of his Majesties principal Secretaries of State, relative to ships of force, fitted out in Scotland.

White Hall, June 18th, 1699.

GENTLEMEN :—

I signified to you, his Majesties pleasure in January last concerning the Scotts, who had undertaken an expedition to the West Indias, the place not being then known, in which they designed to settle, and his Majesty being since informed, that they have taken possession of the Bay of Cairat, near the Bay of Darien, between Cartagena and Porto Belle, and are fortifying themselves there, seeming resolved to maintain it by force, against the Spaniards. His Majesty considering this attempt as a violation of the treatys subsisting between his Majesty and the Crown of Spain, commands me to acquaint you, that he expects his former orders should be strictly observed, a duplicate whereof, is therefore enclosed ; I suppose upon the receipt of the first letters, you have given all necessary directions that no correspondence should be kept with the said Scotch colony, and that no provisions, amunition or other assist-

ance should be furnisht them, or be suffered to be conveyed to them, from any part of your government. His Majesty would have the same care continued, so as the said orders may in all particulars be fully obeyed and putt in execution.

I am Gentlemen,

Your most humble servant,

JA. VERNON.

To the Governour and Company of his Majesties colony of Connecticut, in America.

Copy of the Commission sent to Henry Ashhurst.



We the Governour and Gener'll Assembly of his Majesties colony of Connecticut in New England, having received his Majesties comands to make out our right unto the Government of the colony comonly called Narraganset Country, included within ye Charter of incorporation, granted to us by King Charles the second, and bearing date April 23d, in the 14th year of his reigne, and to shew that the colony of Rhode Island have no just claime to the Government of ye said Narraganset country, by an agent deputed for that end in our behalfe. Reposeing special trust and confidence in you, Sr Henry Ashhurst, Baronett, have nominated, chosen, desired, commissioned and impowered, and do hereby fully and clearly nominate, choose, desire, comission and empower you the aforementioned Sr Henry Ashhurst, Baronet, personally to appear before our

Sovraigne Lord the King, or such others as under his Majesty may take cognisance of the said affaire; and unto them to make our right afore-said, and to answer and reply to all pleas, that shall be made before them, by any agent or agents, for his Majesties colony of Rhoad Island, for the Government of the said country, as belonging to the said colony of Rhoad Island; and to transact whatsoever you have from us, or from the Governour and Councill of this his Majesties colony in instruction relating to the said affaire, or whatever else shall by us be, or by the said Governour and Councill, be committed to your care, and you are farther hereby impowered to appoint such other person or persons in your stead, as by you shall seem reasonable; and whatsoever shall be lawfully done or acted by you, or by any person or persons so appointed by you in your stead, in any of the premised matters, we will accordingly hold for good. Dated in Hartford, in New England, the 15th day of October, 1699, in the 11th year of the reigne of our Sovreigne Lord, William the third, King of England, Scotland, France and Ireland, &c., and given under the seal of this his Majesties colony of Connecticut.

J. W., Gov'r.

Signed by order of the Gen'll Assembly.

ELEAZAR KIMBERLY, Sec'ry.

*A Letter from Mr. Secretary Vernon, relative to
Pirates and their effects, Capt. Kidd, &c.*

White Hall, November 30th, 1699.

SIR—His Majesty being informed that you have secured the effects of some Pyrates that were returned from the East Indias, approves of your diligence in so doing ; and further commands me to signifie his pleasure to you, that you put the said effects, (whether they be in money or goods) into the hands of the Earle of Bellomont, his Majesties Governour of New England and New York, to whom his Majesty has sent his orders about sending home Kidd and other Pyrates, who have been seized in several parts of the Plantations, in order to their being tryed here ; the said Earl of Bellomont being likewise intrusted by his Majesty to convey hither all the effects belonging to the said Pyrates, and to consign them to the Lords Commissioners of his Majesties Treasury, my Lord Bellomont has made a volluntary offer to transmit his account upon oath, of all the goods he hath or shall receive as belonging to Pyrates ; and his Majesty thinks it fitt that those to whose hands any of the said goods are come, should deliver their accounts in the same manner, not doubting but such as are in places of public trust, will be ready to give all proofs of their integrity.

I am Sir, your most faithfull humble Servant,
JA. VERNON.

To the Governour of his Majesties Colony of
Connecticut, in America.

Copy of a Memorial relating to the Narragansett Country, laid before the Lords of the Council of Trade, by Sir Henry Ashhurst.

TO THE RIGHT HON^{BLE}

The Lords Com^{rs} of Trade and Plantations.

The humble memorial of Sr Henry Ashhurst, Baronett, Agent for the colony of Connecticut in New England, humbly asserting the right of the said colony to the Government of the Narragansett country, in opposition to the claime made by the Governour and Company of Rhoad Island.

Though it may not be absolutely necessary towards the decission of this controversy, to trouble your Lordships with tracing back to the origenall of that undoubted right, the Crown of England hath to the Government of the said country of Narragansett; we humbly crave leave to premise, that the natives and inhabitants of that country (before they received any particular scheme or form of Government from the Crown of England) made their application to the said colony of Connecticut, desireing they would represent to his sacred Majesty King Charles the Second, the unanimous consent and desire of the Narragansetts to be under the jurisdiction of his Majestys colony of Connecticut, which was accordingly don, and his Majesty was graciously pleased by his Charter, bearing date the 23d day of Aprill, in the fourteenth year of his Reigne, being the year of our Lord 1662, to grant to the Governour and Company of his Majesties colony of Connecticut aforesaid, and their successors, all that part of his Dominions in America, bounded on the East by Narragansett River, alias Narragansett Bay,

where the said River falleth into the sea, and on the North by the Massachusetts Plantation, and on the South by the sea, in Longitude as the line of the Massachusetts colony, running from East to West, (that is to say) from the said Narrogansett Bay on the East, to the South sea on the West, with the Islands thereunto belonging and adjoining, together with all firm lands, soyle, grounds, havens, jurisdictions and priviledges thereunto belonging, as in and by the said Charter ready to be produced to your Lordships will more fully appear, to have and to hold unto the said Governour and Company and their successors forever, in free and comon soccage as of his manor of East Greenwich, yealding and paying one fifth part of all the oar of gold and silver, which should from time to time be there dugg and gotten, as may also by the said Charter more fully and at large appear.

In pursuance of this gracious Charter, the Generall Assembly of Connecticutt did make severall orders in the year 1663 and 1664, and severall officers for settling the Government of the said country of Narragansett, on which foundation the inhabitants thought themselves very happily settled, till some time after their quiett was disturbed by the plantation of Rhoad Island, who as they alledged had obtained a pattent from his said Majestie King Charles the Second, in the year 1663, in which the Government of the said country of Narrogansett, as they alledged was comprehended, and that the colony of Connecticut had no right to the said Government, which claime of the Rhoad Island tis humbly hoped will appear to your Lordships groundless and not justifiable, upon those following accounts.

1st. They must either affirme that the bounds

of the country of Narragansett are not truly described in our Pattent, or secondly, that their obtaining a subsequent Pattent is a revocation of ours which was preecedent. As to the first of these, tis humbly offered to your Lordships, that in regard of the distance of the place, your Lordships would admitt of examinations taken from antient natives of the Pequott and Narragansett country, ready to be produced to your Lordships, which agree with the bounds described in our said Charter. And for a further confirmation of this we beg leave to offer to your Lordships, the proceedings upon a commission under the Royall Signett, the seventh of Aprill in the thirty-fifth year of his said late Majesty King Charles the Second, a true copy of the return of the proceedings, under the commissioners hands, being likewise ready to be produced to your Lordships, by which it doth appear that in obedience to the same comission, they the said commissioners had enquired into the bounds of the said country of Narragansett, and to whom the right of Government did appertain, in order to make a true and certain report thereof to his Majestie, and did accordingly certifie under their hands, that the bounds of Narragansett were agreeable to the Pattent or Charter of Connecticutt, and that they apprehend upon due enquiry and examination had, that the Government did of right belong to the colony of Connecticutt.

2dly: If the said country and the bounds of it be rightly described in our Charter, wee beg leave to affirme, that the subsequent Charter, granted to Rhoad Island, of any jurisdiction in the Narragansett country is so farr from repealing or disannulling the former Charter granted to uss, that tis in itself void and of no effect as to this particular, for

had his Majesty granted to any of his subjects of England, a certain mannor, or lands in this Kingdom of England to hold to the granted and his heys; and after granted the same mannor another and his heirs, the second grant is void; because the King is by construction of law, supposed to be deceived in his grant, haveing at the time of the second grant no estate in him, and by consequence nothing that can be transferred over to the second granted. And tis humbly hoped your Lordships will make the same construction of the Kings grant in this case, that the Judges of common law would do in a grant of lands within this Kingdom.

Wee further beg leave to remind your Lordships of the order of May 1695, by which your Lordships were pleased to referr the matter of law in the case now in question, to Sir Thomas Trevor, his Majesties Attorney Generall, by whose report ready to be produced by your Lordships, he was pleased to signify his opinion, that the Government of Narragansett doth of right belong to Connecticutt, and not to Rhoad Island. If it be further objected, that the bounds and limits of Connecticuts jurisdiction, was settled between Mr. Winthrop and Mr. Clark, agents for the severall colonys of Connecticutt and Rhoad Island, to this wee answer that tho it were granted, that a collatterall agreement between two agents could not enlarge or diminish the grant of the King. Yett Winthrops agency after haveing obtained and sent over the Charter, was fully determined. And this supposed agreement was after that time, and meerly his own act, without any instructions or authority given him from the colony of Connecticutt. So that we humbly hope your Lordships will not think this objection worthy of any further

answer. And lastly that your Lordships will take such order as to your discretion shall seem meet that a line may be runn, particularly describing and setting out their bounds of jurisdiction to the country of Narragansett, according to the limitations of their said Charter.

All which is most humbly submitted to your Lordships great wisdom by

HENRY ASHHURST.

Copy of a Memorial presented to the Lords Commissioners of Trade and Plantations, relative to the appeals of Major Palmes and the Hallam's by Sir Henry Ashhurst, Agent of the Colony of Connecticut.

TO THE RIGHT HONNOURABLE—

The Lords Com'rs of Trade and Plantations.

The humble memorial of Sir Henry Ashhurst, Barronett, Agent for the colony of Connecticutt in New England, relating to severall appeals brought by Major Edward Palmes, and John Hallam and Nicholas Hallam.

That the colony of Connecticutt have a full and ample power of hearing, determining and bringing to a finall issue, all causes and controversies that shall or may arise within that colony, we humbly hope will fully and plainly appear to your Lordships upon view of their Charter, which his late Majesty King Charles the Second was graciously pleased to grant unto the said colony, by which his said late Majesty was pleased to appoint

a Governour and twelve assistants, with such other freemen of their body corporate as should by them be elected, to be the General Assembly or Supreme Court of Judicature within the said colony. And that the said General Assembly should further constitute and erect such other inferiour Jurisdictions, or Courts of Judicature, and also make and ordain such statutes, laws and ordinances as to them should seem meet, for the better ordering and governing the said colony, and administering of equall and impartiall justice to every inhabitant thereof. In obedience to the direction and appointment of the said Charter, the Generall Assembly did constitute and erect several inferiour courts, and in particular one at New London, for the tryall of all matters of right between party and party, and to the end that no person should be without remedy, who might think himself agrieved by the proceedings in such inferiour court, they did further ordain, that upon complaint of any person in such a case to the General Assembly, the cause should be again heard there and finally determined.

This form and method of justice, as tis the most speedy and effectuall, and most for the benefitt (if not absolutely necessary to the subsistance) of the said colony, so we humbly hope your Lordshipps will allow it to be reasonable and lawfull and no ways injurious to the prerogative Royal of this Realm, tho it seems to exclude any appeal (properly so called) to this Kingdom, and that for these reasons, which are humbly submitted to your Lordshipps.

First, the distance of the place seems to make it in some measure necessary that all causes be finally determined there, for should the comon course of justice be by way of appeal to this King-

dome, the expence must inevitably be great, whatever the vallue of the cause may be, or the circumstances of the party, who prosecutes or defends it, and the event must be, that the poor will be hereby oppressed, be his cause never so just, besides the hazarding deeds and evidences, as well as the lives of witnesses upon the seas, where their evidence viva voce is requisite, is an inconvenience which by the present establishment of justice there, will be prevented. Your Lordships in your great wisdom, cannot but be sensible that tis none of the least of those great and many privileges, on which we so justly value our English Constitution, that we have justice administered at our very doors, and this must needs be, as we see by the happy effect, that it is a very great encouragement to rich and wealthy traders in all our neighbouring countrys to transplant their families and treasures into this Kingdom, where the acquirements of their industry may be effectually secured to themselves and their posterity, without the inconvenience of being drawn to a remote and foreign jurisdiction to defend their property from the unjust claims of a litigious adversary.— And if this privilege be so dear to us in this Kingdom, tis humbly hoped the colony of Connecticut will have your Lordshipps favour in insisting on it for themselves, for the reasons abovementioned, especially since there appears no president of any appeal of this nature from the said colony from the time of their incorporation to this day, and considering,

2. Secondly, that this is agreeable to their said gracious Charter, that they should have power fully to determine all causes, without the delay, trouble and expence of appeals elsewhere, for by this they are expressly impowered to make all

laws, statutes and ordinances which shall be thought necessary for the good government of the colony, and if so ample a Legislative power be vested in them, sure the executive power to putt these laws in execution must follow of course.— But to clear all doubts tis expressly named in their Charter, with a strict injunction to all the inhabitants to be subject, and to the said laws, and who-soever disobeyes those laws by seeking relief elsewhere, when they may by them in a regular course have free and impartial justice, must be guilty of a great contempt to this his Majesties injunction so expressly sett forth in his said Charter.

3. Thirdly, this priviledge of fully determining all causes within the said colony, without any appeal elsewhere, is not inconsistent with, or repugnant to the laws and statutes of this Realm; wee have many inferiour courts and jurisdictions in this Kingdom, whose sentances in things appertaining to their connusance, the sentance of the General Quarter Sessions of peace, upon an appeal from the order of two justices as to the settlement of poor, is finall and conclusive, and this for the quiett, as well as for the convenience of the people, that they may have finall justice in their respective counties. Nay one single Justice of the Peace in severall matters relating to the Kings Revenue of Excise, gives a finall and decisive judgment, from which there is no appeal, and many other inferiour jurisdictions too tedious to lay before your Lordships, have such a power upon necessary and weighty reasons, which in the respective cases are very obvious.

But here perhaps it may be necessary to obviate one objection, which at the first sight may seem to have som weight in it, vizt. Objection, if no appeals be allowed from the General Assembly of

the colony of Connecticut, this will make them absolutely independent on the Crown of England, Resp. To this we answer, that such a consequence is by no means necessary, for the true and proper signification of an appeal in this case is a form of judicall proceeding, by which a suit or controversie is removed in a judicall way, from one inferior jurisdiction to a superiour; now altho no such appeal were allowed to remove any proceedings from the General Assembly of Connecticut to jurisdiction here in England, yett the prerogative of the Crown of England would be no way injured hereby, for should there ever happen to be a totall corruption of the said Generall Assembly, so that the inhabitants of the colony could not have free and impartiall justice there (which is a thing scarce possible to be supposed) and that this should be made plainly to appear to his Majestie: This would be a direct and positive forfeiture of their Charter, and of the Royall franchise thereby granted to them; so that the colony would be thereby disfranchised and again seized into the Kings hands, this much we humbly submit to your Lordships as an answer to the abovementioned objection, and as to appeals in generall.

As to the particular complaints of Major Edward Palmes, John Hallam and Nicholas Hallam, the first of these complaints had an hearing at the court of New London, and if any injustice had been there don him, the Generall Assembly were ready to have relieved him according to the settled laws of their colony. But in contempt of their jurisdiction, he positively refused to sett forth his grievance before them in order to be relieved, and since he has contemned the ordinary regular course of justice 'tis humbly hoped your Lordships will not permitt him to proceed in such an

extraordinary and extrajudicial way, especially since it directly strikes at the fundamentall priviledges of the colony.

As to the other complaints, they have not so much as begun or commenced any suit or claim in any of the courts of the colony, butt would carry the matter still further, to have not only appeals, but even originall jurisdiction here in England, for which we humbly hope your Lordships will se no grounds, but rather by this in your great wisdom will perceive how dangerous it is to break into the furtherest bounds of the priviledges of any State or colony, and perticularly in the case now before your Lordships, since it may be a means to introduce further inconveniencies, and in fine a totall subversion of the said colony.

All which is most humbly submitted to your Lordships great wisdom, by

H. ASHHURST.

Note.—Although no date appears to the foregoing memorial, various circumstances evince that it must have been in 1700. A number of persons, among whom were Edward Palmes and the Hallams, had conceived the idea of obtaining a large tract of land, comprising the whole of the town of Colchester, with parts of other towns adjoining. It appears from the Colony records, that Uncas, (Sachem of the Mohegan Indians) in 1659, had ceded this tract of country to Major Mason, who acted in the capacity of Agent of Connecticut; Mason, after this treaty with Uncas, surrendered the ceded territory to the Colony. Some of his decendants in connection with Palmes, the Hallams and others, claiming the transaction between Mason and the Colony as illegal, concluded they should be able to recover the whole of the disputed territory; but upon trial of the case at New London, a decision was given in favor of the Colony; upon which the claimants appealed to England for redress of grievances, with but little success, as the judgments of the Courts in Connecticut, were there confirmed.

A Letter from the Right Honorable, the Lords of the Council of Trade, relating to appeals to the King and Council.

WHITE HALL, May 27th, 1700.

GENTLEMEN—

Wee are not a little surprized, that wee have received no answer from you to our letter of the 24th Aprill 1699, wherein we sent you his Majesties order in councill of the 9th of March foregoing, relating not only to the particular cases therein mentioned, but also to the general cases of justice in the colony of Connecticot, and to appeals from thence to his Majesty in councill, which letter we are well informed was delivered to Colonel Winthrop, Governour of that colony, the 24th of July last.

And whereas this long delay of yours to answer our said letter gives us just reason to doubt of your haveing rendered that speedy and punctual obedience to his Majesties order, w^h we writt you was expected from you by his Majesty as you would answer the contrary ; and is at least a neglect of your duty to inform us of your proceedings in a thing which we so expressly recommended to you ; we do therefore hereby once more give you to understand that we wait with impatience for an account of that obedience, which his Majesty has required from you in so necessary a matter, that we may accordingly lay your answer before his

Majesty for his further pleasure thereupon. So we bid you heartily farewell.

Your very loving friends,

STAMFORD,
LEXINGTON,
PH. MEADOWS,
JOHN POLLEXFEN,
ABR. HILL,
GEO. STEPNEY,
JOHN LOCKE.

For his Majesties especial service.

For the Honnourable the Governour and Company of his Majesties colony of Connecticut, in New England, in America.

Connecticut.

A Letter from the Rt. Hon. Mr. Secretary Vernon, with a certificate from the Mayor of Plymouth, concerning John Burley and Thos. Williams, who were taken by a Pirate, &c.

WHITE HALL, Oct. 13th, 1700.

GENTLEMEN :—

You will see by the enclosed copy of a certificate, under the hand of the Mayor, and seal of the corporation of Plymouth, that Thomas Burley, mate, and John Williams, carpenter of the shipp *Orange*, of *Topsham*, were taken out of her by a Pyrate ship called the *Morning Starr*, and for their usefullness forceably detained by them; if therefore this shipp of Pyrates, or the said two

persons should happen to be taken, and brought into your Government, the Lords Justices are pleased to direct, that they be not proceeded against as guilty of Piracy, but sent into England with the first opportunity.

I am Gentlemen,

Your most humble servant,

JA. VERNON.

To the Governour and company of his Majesties colony of Connecticut, in America.

To all Christian people to whom these presents of true testimonial shall come, I Richard Opie, merchant, Mayor of the Bourrough of Plymouth, in the county of Devon, send greeting:—Know yee, that I the said Mayor doe hereby certifie and make known, that on the day of the date hereof, came and personally appeared before me, Thomas Burley, Senior, of Plymouth, aforesaid, marriner, a person very well known to me of good reputation, credit and honesty, who hath been commander and taken charge of several considerable merchant shippes, belonging to this town of Plymouth, and is the natural and legitimate father of Thomas Burley, Junior, of Plymouth, aforesaid, marriner, aged twenty three years, or thereabouts, and did voluntarily depose before me, the said Mayor, on the Holy Evangelist, in manner following: That is to say, that his senn Thomas Burley, on or about the thirtieth day of May last past, before the date hereof, (as he hath been credibly informed,) sailed out of the Port of Topsham in the said county of Devon, mate of the ship Orange, belonging to Topsham, aforesaid, one John Hockaday, comander, of ten gunns, and

about sixteen men, bound for Newfoundland, but on or about the fifteenth day of July next following, in the latitude of forty four degrees and thirty one minutes, distant from Lundy about three hundred and eighty leagues, was unfortunately met with by a Pyrate (shipp) called the Morning Starr, of twenty four gunns and an hundred men, but of what nation or country this deponent knoweth not, which shipp, the Orange, being boarded by some of those belonging to the said Pyrate, the said Thomas Burley, the sonn, was by them forceably taken out of the said ship the Orange, with one John Williams, carpenter of her, and both of them made Prisoners and captives aboard the said Pyrate, the Morning Starr, the captain or chief commander thereof his name was then unknown to the said Thomas Burley, the sonn, as he gave the deponant an account of, by letter dated at sea the fifteenth day of July, 1700, from on board the Morning Starr in the latitude of forty four degrees and thirty one minutes, bewailing his misfortune, being so taken, (and therefore to be pittied) and the said deponent doth further depose, that the said Thomas Burley, Junior, is the eldest sonn of the said Thomas Burley, Senior, and hath been his mate severall voyages to the Newfoundland, and the streights, and that his said sonn is a lusty slender young man, of a fresh rudy complexion, he hath short curled flaxen hair, round favoured, and hath dark brisk eyes. In testimony whereof, I the Mayor have hereunto not only subscribed my name, and caused the accustomed seal of office of Mayoralty, used within the said Burrough to be hereunto affixed, but the said deponent hath hereunto likewise subscribed his name, the sixth day of September,

in the twelfth year of the reign of our Sovereign Lord, King William the third, over England, &c. Annoq Dom. 1700.

RICHARD OPIE,

Mayor.



THOMAS BURLEY.

Wee who have hereunto subscribed our names, do believe all the contents of the above written attestation to be true, as to the substance thereof, and do reccomend the same to every one, whom it doth or may concern, in favour of the said Thomas Burley, both senior and junior.

**H. TRELAWNEY,
HEN. HOOKER,
JOHN TRELAWNEY,
JOHN PAIGE,
THOMAS SWANTON,
JAMES YOUNGE,
T. HOLMES.**

*Att the Court at Kensington,
the 5th day of December, 1700. }*

PRESENT.

The Kings most Excellent Majesty in Council.

Upon reading this day at the Board, the petition of John Hallam and Nicholas Hallam, Executors of the last will and testament of Olive Liven, deceased, complaining of the Governour and Company of the colony of Connecticut, in New England, for refusing to admitt the petitioners to

appeal from a sentence in a court of assistants, held at Hartford in the said colony in May last, contrary to an order from this board : it is ordered by his Majesty in Council, that it be, as it is hereby referred to the Lords Commissioners of trade and plantations, to examine the matter of the said petition and complaint, a copy whereof is herewithunto annexed, and to report to this board, what they conceive fitt his Majesty to do therein.

A Letter from his Majesty William 3d, concerning the contribution of money for erecting forts for the defence of the province of New York, also to the quota of men to be furnished for the same.

WILLIAM R.

Trusty and well beloved, wee greet you well : Whereas it is requisite that the general security of our plantations upon the Continent of America, be provided for by a contribution, in proportion to the respective abilities of such plantation ; and whereas the northern frontiers of our province of New York, being the most exposed to our enemy, do require an extraordinary charge for the erecting and maintaining of forts, necessary for the defence thereof, towards which we have lately been graciously pleased to give the sum of 2500 lb. sterling, and have also directed that our said province of New York should exert the utmost of their power in providing for those and the like occasion. But it being yett further needfull that

our other plantations and colonies on the Continent, do also contribute to so great a work, wherein their own security is so much concerned: Wee do hereby signifie you, that the sum which we have at present thought fitt to be contributed by our colony of Connecticott, in proportion to what we do now in like manner direct to be supplied by our other plantations towards the fortifications on the frontiers of New York, is 450 lb. sterling, and we do accordingly recommend to you, that the said sum of 450 lb. sterling, be furnished by our colony of Connecticut, for the use aforesaid, to such person or persons as the Earl of Bellomont, or the commander in chief of our province of New York for the time being, shall appoint to receive the same. And in case the frontier of our said province of New York be at any time invaded by an enemy; you are also upon the application of the said Earl, or the commander in chief of the said province, for the time being, immediately to furnish a quota of men (or money in lieu thereof,) from our colony of Connecticut, according to the repartition herewith sent you. And you are further to take notice, that according to your behaviour in this occasion, you will recommend yourselves to our Royall Grace and favour. And so wee bid you farewell.

Given at our court, Hampton court, the 19th day of January, 1700-1, in the twelfth year of our reigne.

By his Majesties command,

JA. VERNON.

To our trusty and well beloved, the Governour and Company of our Colony of Connecticut, in America. Connecticut.

The Quota of Men to be furnished by his Majesties respective Plantations on the continent of America, towards the defence of the Frontiers of New York, in case they be invaded by an enemy.

	Men.
Massachusetts Bay,	350
New-Hampshire,	40
Rhode Island and Providence Plantation,	48
Connecticut,	120
New York,	200
East New Jersey,	60
West New Jersey,	60
Pensylvania,	80
Maryland,	160
Virginia,	240
	<hr/>
	1358

Copy of an Act for re-uniting to the Crown, the Government of several of the Colonies and plantations in America.

Whereas by vertue of severall charters and letters pattents under the great seal of England, passed and granted by severall of his Majesties Royall predecessors, as also by his present Majestie, and the late Queen Mary of blessed memory; the severall colonies, provinces and plantations of the Massachusetts Bay, New Hampshire, Rhoad

Island and Providence plantations, Connecticut in New England, East and West New Jersey, Pennsylvania and the adjacent territories, Maryland, Caralino and the Bahama or Lucay Islands, in America, have been granted unto severall persons, together with the absolute government and authority over his Majesties subjects, in those places, whereby the grantees were not only made proprietors of the soyle and lands comprehended within the said places, &c. but also Lords and Governours thereof, with full power of exercising Royall Government and other jurisdictions over the inhabitants thereof. And whereas the severing of such power and authority from the Crown, and placing the same in the hands of subjects, hath by experience been found prejudiciall and repugnant to the trade of this Kingdome, and to the wellfare of his Majesties plantations in America, and to his Majesties Revennue, arising from the customes, by reason of the many irregularities committed by the Governours of those plantations, and by those in authority there under them, by encouraging and countenancing Pyrates and unlawful traders and otherwise.

Be it therefore enacted by the Kings most Excellent Majesty, by and with the consent of the Lords spirituall and temporall, and commons in Parliament assembled, and by the authoritie of the same, That all and singular the clauses, matters and things contained in any charters or letters patents heretofore passed under the great seal of England, by and of his Majesties Royall predecessors, or by his present Majestie or the late Queen, relating to the Government of his Majesties subjects within the said plantations, colonies or places, or any of them, or within any other plantation, colony or place in America, whereby

any power or authority is granted to any person or persons from the crown, be, and hereby are declared and enacted to be, utterly void and of none effect; and it is hereby further declared and enacted, that all such power and authority, privileges and jurisdictions shall be, and are hereby reunited, annexed and vested in his Majesty, his heirs and successors, in right of the crown of England, to all intents and purposes as tho no such Charter or Letters Pattents had been had or made. Provided always that nothing herein contained, shall be construed to extend any ways to alter, take away diminish or abridge the right or title which any person or persons, bodys politick or corporate have, or lawfully may have or claime to any lands, tenements or hereditaments, or any other matter or thing (authority or Government only excepted,) by vertue of the said, or any other Charter or Letters Pattents, or by vertue of any right or title derived from or under such Charters or Letters Pattents, by any mean, assignment or conveyances or otherwise howsoever. Provided also, that nothing in this act contained, shall be construed to impower his Majesty, his heirs or successors, to govern the said plantations, colonys or places or any of them, or the inhabitants thereof, otherwise then according to the laws in force in the said plantations and places respectively, not repugnant to the laws of England, and such other laws and constitutions as shall from time to time be made by the Generall Assembly of the said respective plantations according to the severall and respective privileges at any time heretofore granted to the said severall plantations and colonies respectively, by any Charter or Charters, or Letters Pattents, under the great

seal of England, and according to the usages in his Majesties other plantations in America.

1701.

Note.—The colony was at this time in the most critical situation. It was not only in danger, and put to great expense in consequence of the war, to defend itself, but to still greater, to defend the neighboring colonies of Massachusetts and New York. It was continually harrassed by the demands of Joseph Dudley, Esqr. Governor of Massachusetts, and also by the Governor of New York and the Jerseys, for men and money, as they pretended, for the defence of their respective Governments. Governor Dudley, Lord Cornbury and their instruments combined together to despoil the colony of its Charter. It appears from the letters and acts on file, that Dudley wished to unite all New England under his own government. He had been connected with Sir Edmund Andross in the Government of New England, and was an enemy to all the Chartered rights of the colonies. While he was soliciting the Government of Massachusetts, he had a view to the Government of all New England. When he found in 1699, that Sir Henry Ashhurst was appointed agent of Connecticut, he opposed his undertaking the agency with all his influence. He united all his influence with the Court-party, and the enemies of the colony to vacate its Charter. He so far succeeded, that in the latter part of the reign of King William, the above bill or act, was prepared for reuniting all the Charter Governments to the Crown. Early in the reign of Queen Anno it was brought into Parliament. Sir Henry Ashhurst viewing the act as unjust, and subversive of the civil and religious rights of the colony exerted all his influence against it. Sir Henry had honorable connections whose influence at court was considerable. They raised all the opposition to the passing of the bill, in their power. It was pleaded that the colony had ever been loyal and obedient, and if any irregularities, or inadvertencies should finally be found in the Government, it would on the first notice, undoubtedly be reformed. At the same time, the taking away of so many Charters, was at once calculated to destroy all confidence in the Crown, in royal patents and promises; to discourage all further enterprise in settling the country; these and various other considerations operated so powerfully against the bill, that it could not be carried through the houses.—*Trum. Hist. of Con.*

*Copy of the Petition of Sir Henry Ashhurst,
against the passing of the act for reuniting to
the Crown, the colonies and plantations in
America.*

TO THE RIGHT HONNOURABLE— .

The Lords Spiritual and Temporall.

The petition of Sir Henry Ashhurst, Barronet, Agent for the colony of Connecticut in New England: Humbly sheweth,—That there is a bill depending before your Lordships, intituled an act for reuniting to the Crown, the Government of several colonies and plantations in America, which will make null and void the Charter granted to the inhabitants of the said colony by King Charles ye second, dated the 23d of Aprill, 1662. That by the said Charter, the Government of the said colony is granted to the said inhabitants, and it is so interwoven with their properties that it cannot be taken away without exposing them to confusion, if not utter ruine; that the said colony lies at a distance from the sea, and the inhabitants never accused of any male administration, pyrat-icall or unlawfull trade, and that their case is different from his Majesties other plantations.

Therefore your petitioner humbly prayes, that he may be heard by his councill at the barr of this honourable house, in the behalf of the said inhabitants, against the passing of the said bill, and your petitioner shall ever pray, &c.

Copy of an order of the Lords Spiritual and Temporal, that Sir Henry Ashhurst may be heard against the passing of an act for reuniting to the Crown, several Colonies and Plantations in America.

Die Sabbati, May 3d, 1701.

Upon reading the petition of Sir Henry Ashhurst, Barronet, Agent for the colony of Connecticut, praying that he may be heard by his councill against the bill intituled, an act for reuniting to the Crown, the government of several colonies and plantations in America; it is ordered by the Lords Spiritual and Temporall, in Parliament assembled, that the Petitioner shall be heard as desired against the bill, on Thursday next, at eleven o'clock.

MATHEW JOHNSON,
Cler. of Parliament.

An order from the King, submitting the case of John and Nicholas Hallam to his Majesty in Council, &c.

At the Court at Kingston, }
the 12th of June, 1701. }

PRESENT,

The Kings Most Excellent Majesty.

Lord ARCH B'P of Canterbury, Lord KEEPER,
Lord PRESIDENT, Lord CHAMBERLAIN, Earle of
BERKELY, Earle of ROCHESTER, Mr. VICE CHAM-

BERLAIN, Mr. SECRETARY HEDGES, Lord Chief Justice HOLT, Sir HENRY GOODRICKE.

Upon reading this day at the board, a representation from the Lords Commissioners for trade and plantations, in obedience to an order the 5th of December last, upon the petition of John and Nicholas Hallam, complaining that the Governour and Company of Connecticut had refused to admitt them to appeal to his Majesty in Councill, from a sentence past in the court of assistants of that colony, in the month of May 1700, relating to the last will and testament of John Liven of the said colony, deceased. His Majesty in Councill is pleased to approve of the said representation, and accordingly to order, as it is hereby ordered, that the appeal of John and Nicholas Hallam in the present case be admitted; the petitioners first giving security to prosecute the said appeal in order to be heard before this board, the first Councill day in February next, and to abide by his Majestys determination in councill therein. And his majesty is further pleased to order, that authentick copies of all proceedings in the petitioners case be transmitted to this board, under the seal of the colony of Connecticut, for his Majesties better information herein, whereof the said Governour and Company, and all others whome it may concern, are to take notice, and govern themselves accordingly.

A Letter from the Rt. Hon. the Lords of her Majesties Privy Council.

After our very hearty commendations; it having pleased Almighty God, to take to his mercy,

out of this troublesome life, our late Sovereign Lord, King William the third, of most blessed memory, and thereupon her Royall Majesty, Queen Ann being proclaimed, we have thought fitt to signifie the same unto you, with directions, that with the assistance of the Councill and other principall officers and inhabitants of Connecticutt, you proclaime her most sacred Majestie according to the form here inclosed with the solemnities and ceremonies requisite on the like occasions; and we do further transmit unto you, her Majesties most gracious Proclamation, signifeing her Majesties pleasure, that all men being in office of Government at the decease of the late King, shall so continue as duering his late Majestys life, untill her Majesties pleasure be further known; which we do in like manner will and require you forthwith to cause to be proclaimed in the chief place or places within your Government. And so not doubting of your ready compliyance herein; we bid you heartily farewell.

From the Councill Chamber at St. James's, this 11th day of March, 1701-2.

Your very loveing friends.

THO. CANTUAR,	BOLTON,
N. WRIGHT,	BURLINGTON,
DEVONSHIRE,	SCARBOROUGH,
CARLISLE,	STAMFORD,
MANCHESTER,	R. FERRERS,
SOMERSET,	JOHN POVEY.

To our loveing friends, the Governour and Magistrates of her Majesties colony of Connecticutt, in America, for the time being.

A Letter from the Rt. Hon. the Lords of the Council of Trade, with the information of the death of King William the 3d, &c.

White Hall, March the 19th, 1701-2.

GENTLEMEN :—

Upon the sad occasion of the death of his late Majesty, King William of blessed memory, and the happy accession of the high and mighty Princess Anne, to the Throne of her royall ancestors; we send here inclosed the order of her Majesties most honnourable Privy Councill, that you may take care that her Majestie Queen Anne, be accordingly proclaimed Queen of England, Scotland, France and Ireland, and of all the dominions thereunto belonging, in the most solemn manner, and most proper parts of her Majesties colony of Connecticutt. And you are upon this occasion to assure all her Majesties subjects in the said colony, of her Majesties special care and protection, and to exhort them to do on their parts what is necessary for their security and defence in the present conjuncture, and you are to return a speedy account of your proceedings herein. So we bid you farewell.

Your loving friends,

STAMFORD, JOHN POLLEXFEN,
LEXINGTON, MAT. PRIOR.
PH. MEADOWS,

For her Majesties especial service.

To the Honn'ble the Governour and Company of her Majesties Colony of Connecticutt, in New England, in America, or for the Governour and Company of the said colony for the time being.

A Letter from the Rt. Hon. the Lords Commissioners of the Council of Trade, with the copy of the Petition of Benjamin Way, relative to five men taken by Pirates.

White Hall, April the 4th, 1702.

GENTLEMEN :—

We send you here inclosed a copy of a petition, with an affidavit made upon it, relating to five seamen, taken by a Pyrate, out of the John Galley, and (as is believed) forcibly detained ; that in case any of them shall happen to arrive in her Majesties colony of Connecticut, under your Government, you may have such regard to this testimony of their innocence, as after other due examination, shall appear reasonable. So we bid you heartily farewell.

Your very loving friends,
STAMFORD,
PH. MEADOWS,
JOHN POLLEXFEN,
MAT. PRIOR,
ABR. HILL.

For her Majesties especial service.

To the Honnourable the Governour and Company of her Majesties colony of Connecticut, in New England, in America, or for the Governour and Company of the said colony for the time being. Connecticut.

To the Right Honourable the Lords Commissioners for Trade and Plantations, the humble Petition of Benjamin Way, of London, merchant, sheweth :—

That whereas the ship John Gally, Thomas Warren, master, on a voyage to Madagasker and other places in India, was in the latitude of 36 degrees south, on the 9th of Aprill, 1701, surprized and taken by the shipp John, late of London, 200 tunns, 20 gunns, about sixty men, one Juet, a Frenchman, commander, and plundered of cargo, stores and provissions, and after being detained four days, was on the 13th suffered to depart, but Henry Berckley, Surgeon, Jos. Bartholomew, carpenter, Thomas Jones, Henry Cosser and William Crawford, saylors, were forcibly stopt and kept on board the Pyrate. Wherefore I, your Petitioner, pray your Honnors that some notice may be given to the several Governours of her Majesties plantations and colonys abroad, that if said ship be taken, or come in, those five innocent men may not be treated as criminals. And your petitioner shall ever pray, &c.

London, 2d April, 1702.

Copia.

Thomas Warren, master of the above shipp, John Gally, appeared before me and made oath, the five named in the above petition, were as he verily believes forceably stopt by the pyrates as above declared.

THOMAS WARREN.

London, 8th April, 1702.

THOMAS ABNEY, Mayor.

*Letter from the Rt. Hon. the Earl of Nottingham,
one of her Majesties principal Secretaries of
State, giving notice of her Majesties Declaration
of war against France and Spain.*

White Hall, May 7th, 1702.

SIR—The Queen haveing been pleased to constitute me one of her principal Secretarys of State, it is necessary that I should inform you of it, that for the future you may direct to me, such letters as relate to her Majesties service, and I desire you from time to time, to acquaint me with such things as occur in your parts.

And I am commanded to acquaint you, that her Majesty has declared warr against France and Spain, as you will see by the enclosed declaration, and to signifie her Majesties pleasure to you, that you cause it to be proclaimed in the places under your Government, that her subjects haveing this notice, may take care to prevent any mischief, which otherwise they might suffer from the enemy, and do their duty in their severall relations to annoy the subjects of France and Spain. I must also acquaint you that the Emperour and the States Generall, have also declared warr against France and Spain.

I am your most humble Servant,
NOTTINGHAM.

To the Governour and company of her Majesties colony of Connecticut, in America,
Connecticut.

Letter from the Rt. Hon. the Lords of the Council of Trade, directing the Governour and Company to prepare for their security, and to render assistance to New York, &c.

White Hall, Sept. the 15th, 1702.

GENTLEMEN :—

Her Majesty has been pleased, by order in council of the 24th of August last, upon our representation relating to the defence and security of all the plantations in America, expressly to direct us to require you to take care that due preparations be made in her Majesties colony of Connecticut, for the defence and security of the same against any attempt that may be made upon it by the enemy duering this time of warr. And likewise that in case of an invasion or appearance of imminent danger, on the side of New York, you do forthwith send assistance to that province, in men or money according to former directions given you on that behalf, this being her majesties express command, and your own interest in the safety of that colony, being also so much concerned in the observance thereof, your punctual compliance with her Majesties pleasure in these particulars is accordingly expected, so we bid you heartily farewell. Your loveing friends,

ROB. CECIL. JOHN POLLEXFEN,
PH. MEADOWS, MAT. PRIOR.

For her Majesties especial service.

For the Hon. the Gove'r and Company of her Majesties colony of Connecticut, in New England, in America, or for the Gov'r and company of the said colony for the time being. Connecticut.

*At a Court of Election holden at
Hartford, May 11, 1704. }*

It is ordered by this Court, that the frontier townes hereafter named, are to be so accounted, that is to say, Symsbury, Waterbury, Woodbury, Danbury, Colchester, Windham, Mansfield, and Plainfield. And shall not be broken up or voluntarily deserted without application first made by the inhabitants, and allowance had and obtained from this Court, nor shall any inhabitants of the frontiers mentioned, having an estate of freehold in lands and tenements within the same, at the time of any insurrection or breaking forth of warr, remove from thence with intent to sojourn elsewhere, without libertie as aforesaid, on pain of forfeiting all his estate in lands and tenements lying within such townships, to be recovered by information of, and proof made by the select men of such towne.

And it is further enacted, that no male person of sixteen years old and upwards, that shall be an inhabitant of or belonging to any of the townes aforementioned, at the time of such warre or insurrection, shall presume to leave such place on penalty of ten pounds, to be recovered as aforesaid, all which penalties to be improved towards the defence of such place or places whereof such person or persons were inhabitants.

It is ordered by this Court, that ten men shall be put in garrison in each of those townes hereafter mentioned, that is to say, Danbury, Woodbury, and Symsbury.

Additional instructions to our trusty and well beloved the Governor and company of our Colony of Connecticut in New England in America, or to the Governor and Company of our said Colony for the time being. Given at our Castle at Windsor, the 17th day of July, 1704, in the third year of our reign.



ANNE R.

Whereas by the third article of our instructions to you according to several laws relating to the trade and navigation of this our kingdom of England, and our colonies and plantations in America, you are required to take care and give directions that no goods or commodities whatsoever be imported into, or exported out of our said colony of Connecticut, in any ships or vessels, but in such whereof the master and three-fourths of the mariners at least are English, and whereas by a clause in an act past the last session of Parliament, entitled an act for raising recruits for the land forces and marines, and dispensing with part of the act for their encouragement and increase of shipping and navigation during the present war, (a copy whereof you shall herewith receive.) It is enacted that during the present war and no longer, the number and proportion of mariners to sail in such ships or vessels, which by laws now in force are limited to the master and three-fourths of the mariners to be English, shall be enlarged to the master and one moiety of the mariners at least to be English, it is our will and pleasure, that you take care and give directions, that the said act be

observed in our said colony of Connecticut, during this present war accordingly. A. R.

Copy of a clause of an act past in the third year of her Majesties reign, entituled an act for raising recruits for the land forces and marines, and for dispensing with part of the act for encouragement and increase of shipping and navigation during the present war.

And whereas by the laws now in force, the navigating of ships or vessels in divers cases, is required to the master and three-fourth parts of the mariners at least being English, under divers penalties and forfeitures therein contained: and whereas great numbers of seamen are employed in her Majesties service, for the manning of the Royal Navy, so that it is become necessary during the present war, to dispence with the said laws, and to allow a greater number of foreign mariners for the carrying on of trade and commerce. Be it therefore enacted by the authority aforesaid, that during the present war, and no longer, the number and proportion of mariners to sail in such ships or vessels which by any law now in force are limited to the master and three-fourths of the mariners to be English, shall be enlarged to the master and one moiety of the mariners at least to the English; and that it shall and may be lawful to, and for the owner or owners of any such ship or vessel to navigate the same with such mariners whereof the master and one moiety of the mariners at least shall be English, without

incurring any penalty or forfeiture for so doing, and without subjecting the goods or merchandize laden on such ships or vessels to any other customs, duties or payments than should have been paid for the same, in case the same ships or vessels had been navigated by a master and three fourths of the mariners being English, any former law or statute to the contrary thereof in any wise notwithstanding.

Letter from the Lords of the Board of Trade.

GENTLEMEN :—

It having pleased Almighty God to give her Majesty a compleat and glorious victory over her enemies near the Danube, under the conduct of his grace the Duke of Marlborough;* and her Majesty having thought fit, in acknowledgement of so great a blessing, to appoint a day of thanksgiving here in England, which, as it cannot be so soon complied with by you, we herewith inclose to you the said proclamation with directions that on receipt thereof you appoint a proper and speedy day to be kept by all her Majesties good subjects within her Majesties colony of Connecticut

* Battle of Bleinhem, fought on the 2d of August 1704. The French and Bavarians, under Marshal Tallard, were totally defeated, with the loss of 20,000 men, killed, wounded or drowned in the Danube. The French Marshal, with 13,000 men were made prisoners. A large proportion of the artillery and baggage of the French army, also fell into the hands of the English.

in like manner as is prescribed by the said proclamation. And so we bid you heartily farewell.

From our office at White Hall August the 25th, 1704.

Your very loveing friends,

PH. MEADOWS,
WM. BLATHWAYT,
MAT. PRIOR.

Gov'r and Company of Connecticut.

Letter from Sir Henry Ashhurst, to Governor Winthrop.

Kensington, 9 September, 1704.

HON'BLE AND WORTHY SIR—

My last to you was by Mr. Mulford, who was in such haste yt he could not stay an hour for that letter, but since I hear he is at Plymouth, I take ye opportunity to write to you more at large, tho both my letters may come to you pr the same hand. Your Government being a Charter Gov'tment, and vipers among you that would destroy their own native country, know those Governments are not favoured at court, and when petitions and answers, references in appeals, bring great grists to their mill, noe wonder if they are encouraged heere; you may see by the following account the malice and spite of Hallam against you and yt worthy Gentleman Mr. Saltonstall, to whom with much respect remember me. As to

the acct. yt you desire, I cannot serve you to give you particulars, for reasons you may guess; if you were neere mee you should have them; but this I will say, that ye solicitors bill, the counsell to both the hearing of Hallam's and the reference came to about £60. I received no petty charges nor any one attendance; their business has cost Hallam and some body else above £250 already, in this suite about the will, and if it had not ben justly opposed by some Lords my friends, Hallam did not expect, who did beleieve what I said of the justnes of the cause, he would have obtained a second hearing aboute the will, se by the inclosed papers, which is a copy of his petition for a second hearing. I have also inclosed the opinions of two of the best counsell we have, fit to be judges of all these questions; you desired to be informed in reference to Hallams, which is included in the compound charge mentioned above, but this of Hallams hath cost me about £10 since my last. I have also inclosed a copy of his petition to the Queen's Council about his ship, and refusing to give him letters of administration for his sister, and with these invidious words, that you positively denyed appeales to England, which you will read in his petition inclosed; they granted him an appeal, he bringing two affidavids yt you positively denyed any appeales to England, and they appointed a hearing next October, and had some materialls, but is now agreed to be put off untill October next come twelve month, and against then you must send me full instructions, and if it be necessary a person or two for evidence; if the Lord spare my life I hope this shall be the last trouble you shall have; the order of counsel saith he shall give security heer or else with you to abide the judgment, to

pay all the charges; he hath given none here, therefore if he doth not give sufficient security with you, you must make oath of his refusall and send over such affidavitts. I am sorry matters transacted at court are so chargeable; there is noe getting reference of a petition without paying £3 2s 6d, as to his comition under the great seal w'ch hath cost £100 to the Queene, passing the offices: the complaint of ye Indians, if you make that appear to be a knavery I believe they will not have his other appeale: I do not doubt but all these tricks will turn at last to the countrys advantage. As to the account of the charge of the colony for defending their cause in the house of Lords, and other business respecting their boundarYES and severall other things, that charge is 100 pound at least: the agent for Hallam, is agent for Rhode Island, he has £40 pr year, besides all his fees and his bills, and Mr. Phyps hath had two hundred pound this year paid him pr Mr. Partridge for Massacusetts. I have one or two very materiell things to write to you; one is about your militia; it is the opinion of the best counsel yt you have pr your Charter, power of your owne militia, w'ch Charter I hope you will long enjoy, therefore if to the exposing of your owne country you are called by any of the Queenes Governors to send out your own men, in a civil maner, represent it to that Govern't and tell them you have power by yo'r Charter, or yo'r owne militia, and that we serve so gratus a Queene, that would have nothing done to the prejudice of any of her people, but if you can spare them from your own safety, and if any other colony wants them let them have them if they will pay them. Against winter you must expect that I shall attend the Parliament, against an act of Parliament yt will

be attempted by your enemies not only to take away your Charter, but also to get a corporation settled by act of Parlm't heere under pretence of bringing in navall stores to destroy all your trade, both in New England, and in yo'r colony w'ch will at last I fear ruine that interest of religion w'ch cost your heroick ancestors soe deare, these are things that require your speedy consultation and I wish you effectually to arme me every way to defend you against soe many attacks; for if you doe not, your children will feel the miserys of so fatall a neglect; those that are at this juncture against this expence, serve the interest of the enemies of your Charter.

I am, with much respect,

Your most faithfull servant,

HENRY ASHHURST.

I doe think the whole country quacks were concerned in the business of Hallam's; and I beleave there was some part of the 100 pound for the countryes service might have some reference to Hallam, but it was but a small part.

ACCOUNT.

	lb.	s.	d.
To 4 years sallery for my agency and attendance in your service, at £100 pr annum,	400	00	00
To money expended in the service of the colony,	100	00	00
To money expended in Hallam's business, defending the two suits laid out,	60	00	00
To the exchange of £100, paid in New England.	35	00	00
	<hr/> £595 00 00		

Rece'd pr Generall Winthrops or- der pr two bills of exchange,	£200 00 00
Recde, per Mr. Peter Serjaunt, Boston,	100 000 00
Recde of Mr. Mason pr a bill drawn upon you,	40 00 00
Recede pr a bill drawne payable to Mr. Sewall,	100 00 00
	<hr/> £440 00 00
Rest due to me, this 15th Sept. 1704,	<hr/> 155 00 00

Because you complane of yo'r expence in this warr, I am willing to take £100 to cleare this account to this day. You must excuse the bad writing, the difficulty of geting papers must excuse my blunders. I shall send a man to Plymouth to forward this.

To Major Generall John Winthrop Esqr, Governor of Connecticutt.

Letter from Sir Henry Ashhurst to the Governor and Council &c. of Connecticut.

Kensington, feeb. 15th, 1704-5

HONOURABLE SR.

*And you the Govu'r, of ye Councill and
General Assembly of Connecticott.*

My last to you was of the 9th of September, with several papers and accounts sent you by

Major Vaughan and Mr. Mulford, which I hope is arrived safe—an imperfect copy I here inclose, about three weeks after they were set sail, Mr. Dudley, ye old friend* of New England, and my Lord Cornbury sent such letters and complaints, and Mr. D. sent an opinion of the Attorney Generall in King William's time, yt you will see pr ye inclosed, yt the Queen might send a Gov'r of yo'r colony; the Lords of the trade immediately transmitted this information of D's and my Lord Cornbury to ye Queen and councill, they transmitted ye opinion to ye Attorney and Solicitor Generall, one of them being my near kinsman, and the other a very honest man; they made a report yt, if ye case was so as D. represented it yt, there was a defect in Gove'mt, that you were not able to defend ye colony, and yt it was in eminent danger of being possess'd pr ye Queens enemies, in such a case she might send a Gov'r for civill and military Gover'mt, yet not to alter yo'r laws and customes—after this the Queen sent for me into Oxfordshire, (I owning myself yo'r publick serv't) to the reasons (If I have any) why the Queen might not appoint a Gov'r over yo'r colony, which I thot was taking from you all yt was dear to you—I immediately left all my concerns and came to town, tho I had a great part of my estate to lett yet, and is like to be upon my hands, yet haveing put my hand to ye plow, I would not look back again. If I had not engaged to serve you, for five times what you have given me, I would not have taken so much pains, as was absolutely necessary for me to do at this juncture. It being agreed yt the Lord Cornbury should have yo'r colony, and Dudley Rhoad Is-

* An ironical expression.

land, as I was credibly informed. I have served Rhoad Island, who are much more obnoxious than you for the present. No wonder that D. uses all ye interest he has, yt I might not be yo'r agent, since he has such designs in his head to take your charter away. My Lord Pagett is my wives own brother, who is going to ye Emperor Ambassador Extraordinary to make peace betwixt him and ye Hungarian Protestants: a noble designe if effected, he has great interest at court, and he assisted me when I came to town, I had but six days allowed me to shew cause why a Gov'r should not be appointed. I presented a petition to ye Queen and then got thirty days time, and then having my councill and all things ready, the hearing being put off to ye 12th instant, was a double charge, then I got two of the best councill in England, both Parliament men, one of £1000 pr annum, and the other a very great man. They both for an hour and half defended yo'r cause ag't the Attorney and Solicitor Generall before the Queen and Councill. I stood buffeting all the clamours of D. by my councill and of all yt was charged ag't you per D. my Lord Cornbury and Mr. Congreve, and after the consideracion of the councill, they came to this resolution, yt the Lords Com'rs of Trade, out of all ye accusations offered (whereby they endeavoured to shew yt you had forfeited yo'r charter) should draw ye most materiall crimes, and yt a copy of them should be sent to Coll. D. and to my Lord Cornbury, and to ye Gov'r of Connecticott, and the Gov'r of Rhoad Island, yt they should in a publick manner examine ye particulars, and send affidavids of ye truth of the ffacts, and ye best answers yt you can make to them; and to be sent hither if possible August next. But w't your crimes are, they will accuse

you of, I shall not yet hear these 14 days; but that you may be prepared I send you this notice pr ship, yt I am told is just going away. There is one Mr. Buckly, all by D's contrivance has sent a large ffolio book, which he calls pr ye name of Will and Doom, or a History of the miseries of Connecticott, under the arbitrary power of the present Gover'mt, wherein he mightily commends Sr Edmund Andros's Gov'mt, and says all ye malicious things he possibly can invent with great cunning and art. I have inclosed you ye memoriells drawn up to instruct my councill; and what the additionall instructions are you have allso, which I drew myself. I desire you would consider, to make such answers as may once for all deliver you from the like danger; remember ye Cananite is in ye land, as for yo'r laws differing from ye laws of England, dont be discouraged at yt but be sure yt they dont find you breaking the acts of Parliam't concerning navigation, for yt binds all ye Queens subjects every where. Therefore you must be very strict in observing them, and be sure yt they dont find you protecting of criminalls or any yt defraud ye Queen, or saying or doing any thing disrespectfull to her or ye Gove'mt.— They lay strange things to yo'r charge, the heads whereof I have here inclosed.

I am affrayed yo'r letters are intercepted, I have had none from you since ye 5th of June last, pray send me perticulars upon oath under yo'r seal, of all ye charge yt you have been att every year in defending yo'r own countrey, or assisting others since the war began. The present charge of this, has cost me £40. I hope you have paid the £140 to Sewall. I shall draw this year £200 upon you, besides ye exchange payable to him for ye corporation, which will pay ye £100 in arrears

and ye £100 for this year, and because you say the war has exhausted you. If I am at no more charge than this £40, I will draw no more upon you this year.

And so you have all my pains and trouble this year for £60. I think you ought to send a special messenger of some credit withall yo'r dispatches, since letters are so intercepted. If I had not made some great interest, I know how things would have gone. I hope a Nephew of mine will be Lord Keeper. I shall say no more now, but yt I am gentlemen,

Your friend and humble Servant,

HEN. ASHHURST.

Note.—The immense mass of testimony and other documents in relation to the affairs above alluded to, would extend this work to an unusual length: Gov. Dudley and Lord Cornbury had spared no pains to carry their points against the Colony; but through the skill, perseverance and faithfulness of Sir Henry Ashhurst, all their plans were defeated. They were unable to sustain the charges which they had exhibited against the Colony: the affair was kept in agitation for nearly seventy years. It was always upon a legal hearing determined in favor of the Colony. The final decision did not take place until the former part of the Reign of George the third.

Letter from Sir Henry Ashhurst to Governor Winthrop.

Kensington, 2d Feb. 1705.

MUCH HONNOURED AND DEAR SR—

I have only a quarter of an hours notice of a particular hand, to acquaint you that I have seve-

all letters from you and from the Government, from August to November; and to tell you that I have been almost every day from morning till night soliciting your affairs. The natural aversness I have to oppression, as well as believing it to be the cause of God, makes me willing to leave my pleasant habitation in Oxfordshire, to endeavour to protect you against the malice and crafty designs of your great oppressor. I can give you no particular account of the success of any of your affairs under my management. About a fortnight hence, Palmes his 2 appeals, will be heard, and Palmes himself is come here to be a witness to his just proceedings about the Indian lands; as also to justify the complaints of Dudley against the Government, and I very much wonder, that when your all was at stake, that you would not send one person fully furnished with evidences under your seal, to confront the accusation that Dudley brings in against you; there is but one of your boxes of writings that is come safe; the ship that you sent the other in, is thought to be taken by the French: and there is one writing under your seal, that you mentioned in severall of your letters, (to wit) evidence that Palmes refused to give security sufficient to answer the judgment here, either Hallam opened the box I have, and took that writing out, or else it was in that box that was sent by the ship thought to be taken by the French. I shall do all that I can for your service, with as much zeal and industry as if it was to save my wife and my family. In a months time I shall be heard I suppose before the Queen and Councill, by my Councill. As to your 3 great causes, the matter of the Indians, the particulars of the complaints of Coll. Dudley, and the 2 appeals of Palmes's; and then you will know your doom. I have ordered the

writing out of 80 folio pages of Dudleys, w^{ch} he sent over to the Queen, in which he makes a very fair show of justice, but reflects upon Mr. Gurdin Saltonall* upon his willingness to submit himself to his sensure. I wish you could have brought some evidences that these commissioners with Dudley were interested in a part of the lands in controversie, which would have done all for them att once. However, I will make the best use I can of the papers and evidences you sent me to the best advantage. I am very much concerned to hear that you do so ill return to me for all my services as to suffer my first bill of £140 payable to Saywell to be unpaid, for him to complain for your nonpayment of it in time. I hope all the bills you have will be paid before the reciet of this, which you promist me in your letters. I shall not draw any more bills upon you till towards May. I am to believe when there is a new Governour of New England, you will have little need of my agency, and that you will be quiet possessors of your religious and civill interest. I am on Monday to meet in the city, the Quakers that have procured an order from councill for repealing the law you made against them, which I took to be a very extraordinary order, considering you were in possession of your own charter, but the hand of John is in it, I mean he who sent over a great sum of gold, taken in some prize ships, by which he supposes he hath secured his interest. I have scarce time to say more; but my kind respects to you

* Gurdon Saltonstall.

self and the worthy gentlemen of the Government.

I am to you all a very sincere and

Faithfull Servant,

HEN. ASHFURST.

Hon. Major Gen'll John Winthrop, Governour
of the Colony of Connecticott.

*Charges exhibited against the proceedings of the
Charter Government of Connecticut.*

That the Government of Connecticut does not observe ye acts of trade and navigation, but countenances the violation thereof, by permitting and encouraging of illegal trade and Piracy.

That ye colony of Connecticut is a receptacle of Pirates, who are iacouraged and harboured by that Government.

That ye Government of Connecticut, harbours and protects soldiers, seamen and servants that desert from other her Majesties plantations, and will not deliver them up when they are reclaimed, they also give shelter to malefactors, who make their escapes from other parts, without delivering them up when demanded, and that great numbers of the young men go out of ye colonies of the Massachusetts Bay and New York (where they are obliged to pay taxes for the support of her Majesty's Government and maintaining the war ag'st ye French and Indians) to Connecticut, and are there entertained and induced to settle chiefly for that no taxes are raised there, for those necessary purposes.

That ye colony of Connecticut will not furnish their Quota towards the Fortifying of Albany and assisting New York, the place of common security for all those parts, nor do they give due assistance in ye colony of ye Massachusetts Bay against the French and Indians.

That if any of her Majesty's subjects, not being inhabitants of this colony, sue for a debt in ye courts, they can have no right done them, if the defendants be of that colony.

That under colour of their charter, they try robberies, murders and other crimes, make capital laws and punish with death, without any legal authority for the same, and that their proceedings in their courts of judicature are very arbitrary and unjust.

That they do not allow of the laws of England to be pleaded in their courts, otherwise than as it may serve a turn for themselves.

That they have refused to allow of appeals to her Majesty in council, and give great vexation to those that demand the same.

That ye Government have refused to submit to her Majesty and his Royal Highness comission of Vice Admiralty, and for commanding their Militia, and have defeated ye powers given to ye Governors of her Majesty's neighbouring colonies in yt behalf.

That they have made a law yt no christians who are not of their community, shall meet to worship God, or have a Minister, without lycence from their Assembly, which law even extends to

ye Church of England, as well as other professions tollerated in England.*

By order of the Lords Comm'rs for Trade and Plantations.

White Hall, April the — 1705.

Copy of Letter from Gov. Winthrop, to Sir Henry Ashhurst.

New London, Aug't 2d, 1705.

HONB'L SR—

This day came to my hands y'r letters, with an account of the complaints made against this colony by the Lord Cornbury and Coll. Dudley, with

* The above charges and complaints were prepared and exhibited by Governor Dudley and Lord Cornbury. Dudley and his abettors had laid their plans with great art and intrigue; but Sir Henry Ashhurst, stood firm against all their assaults; it was demonstrated by his council that the Colony was vested with ample powers to make and execute laws criminal and capital, as well as civil. With respect to the irregularity and injustice of the Courts, it was urged that the charges were general and derived from hearsay and clamor, and that no particular case was specified, and therefore needed no reply. And in respect to the complaint that Connecticut did not furnish her Quota of men which was demanded by the Governors of the neighboring Colonies, it was replied that by their Charter they were under no obligations to comply with those demands, notwithstanding they were able to show that they had the last, and the present year between five and six hundred men in actual service. Four hundred of this number had been employed in the defence of Massachusetts and New York. The complaint that Connecticut harbored deserters, pirates &c. was not substantiated; and the charges in general were not sustained by any weight of evidence, and Dudley, Cornbury and their associates, were frustrated in all their designs against the Colony.

the articles drawn up ag't us out of those complaints, so that it is not possible for us to make answer by the time appointed, which is now almost expired ; neither is there any vessell either at Boston or New York, bound for London : but just now hearing of a small Ketch, bound from Boston for the North of England, I thought it necessary to embrace that opportunity, to signifie to y'r Hon'r that the Government here, will with all possible speed make answer to the complaints, and make it very evident that there is not the least reason for any such charges to be made ag't them : but on the contrary, that we have always acted directly contrary to what we are accused of with relation to the harbouring of pirates, or deserters, or allowing any of the acts of trade to be violated, or any other matters therein mentioned by our accusers ; and that we have never failed, with the greatest cheerfullness to express our allegiance to her most sacred Majesty, and our readiness to assist, (far beyond our Quota stated by his late Majesty King William ye 3d.) the neighbouring provinces of York and Boston for their support ag't the enemy, notwithstanding the heavy, but groundless complaints, made from thence ag't us.

I take also this opportunity to add, that in the case of Maj'r Palmes's appeals : the court of assistants, not judging the security which he offered to be sufficient ; the persons who offered to be bound for him, appearing to be men of none, or very small estate : I conclude those appeals will not be heard ; her Majesties order in councill, requiring such security should first be given : However, by the first direct opportunity to London, or any other Port to the West of England, I shall send such an account of those cases as will I be-

lieve demonstrate that he has every jot as little reason to complain of injustice as Hallam had in his appeal, in which her Majesty was pleased to affirm the judgment of our courts, which I cannot do now ; the present uncertain opportunity requiring so much hast. In the greatest hast, and deepest sence of yo'r many obligations and friendship, I am Hon'ble Sr yo'r most faythfull humble Servant.

J. WINTHROP.

Copy of a Letter from Gov'r Winthrop to Sir Henry Ashhurst, in answer to the charges and complaints against the Colony.

New London, Aug. 2d, 1705.

HONR'BLE SR—

Altho ye present opportunity by ye small Ketch bound for ye North of England be so uncertain, yet I cannot omitt to signifie to yo'r Hono'r yt ye last bill of exchange of £140 is accepted by this Govern't, and because of the great scarcity of money among us, they sent to Capt. Sewall at Boston to engage to pay interest for it, till ye money may be furnished to ye Treasurer. I am very sensible of yo'r constant care of o'r affairs, and more especially at this juncture, when those yt pretended friendship, endeavoured by private complaints, and as fals as any yt could be devised, to destroy us wth'out suffering us, (if they could have prevented it) to make answer for o'rselves. Next to her Majesties justice, wee owe it to yo'r

vigilance yt they are thus far frustrated. The Govern't here has not made it their business to enquire after irregularities in the neighbouring provinces, nor shall wee alledge ye hard things w'ch have been put upon this Govr'mt, from either of them, tho it were easy for us to complain upon better grounds than any they have to suppose themselves injured by us, who have been at severall thousands of pounds charge for their assistance both of New York and Boston, and have ever studiously endeavoured yt they should not have the least reason to complain of o'r neighbourhood, but I know not whether it be fitt wee should always be silent, who meet w'th no better usage from them, that we are so carefull to shew all possible respect to o'r Generall Assembly, w'ch will shortly convene, will upon ye perusall of yo'r letters, be very sensible of y'r obligations, you are increasing upon them, and be most ready to acknowledge it to their utmost abillities.

I am your most Humble Serv't,

J. WINTHROP.

Letter from Sir Henry Ashhurst, Agent for the Colony of Connecticut, to Gov'r Saltonstall.

London, August 25th, 1708.

HONOURABLE SIR:—

I had yours of the 6th of January last, wrote at the desire of the Generall Assembly, and I do with great sincerity condole with you, the loss of

that excellent Governour,* your immediate predecessor, who for his publick spiritedness and zeal for the liberties of his countrey, when one so near you armed with power, with great abillities, great dissimulation, great falseness, had endeavour'd with great art to rob you of every thing that was dear to you, tho some considering persons among you might foresee some of his malicious designes; but you know not half the mischief that was designed against you. Under these difficulties your predecessor show'd himself a true decendant of Romulus his grandfather, the first founder of Connecticott colony. And since God has taken him from you, I look upon it as a great mercy, that one in some respects superior to him by your knowledge in divine things fills up his room.

There is some good spirit or genius among you, that you are neither cheated, nor affrighted out of your liberties and religion. The axe was laid to the root of the tree, and how unworthy am I to be employed in defending that good people from slavery and the greatest oppressions. I would not have you disturbed about your taking the

* Fitz John Winthrop; he was the son of the Honorable John Winthrop, the first Governor of Connecticut, under the Charter. His birth was at Ipswich, in Massachusetts, 1638. Upon the assumption of the Charter, May 1689, he was chosen into the Magistracy. In 1690 he was appointed Major Generall of the land army designed against Canada. On the dispute relative to the command of the militia, he was sent agent for the colony, to the British court 1694. After his return, May 1698, he was elected Governor, and was annually reelected during his life. He died Nov. 27th, 1707, in the 69th year of his age.

He appeared to have been a gentleman of popularity, and to have sustained a character without blemish.—Trum. Hist. Conn., Vol. i. p. 431.

Government, when you are once extricated out of your difficulties by the removal of a certain person from a neighbouring Government, you'll find your country in rest, living in the fear of God and comforts of the Holy Ghost; you may then think of returning to your former calling, but at present you must be the Moses, and as the Arch Bishop Tillotson told me that he would not have undertaken that great employment, but upon the Kings promise of leave to lay it down, as soon as settled in his Kingdoms. You speak of a letter written to me of the countreys concerns, but that I never received; also what you writ about a commission of enquiry relating to the Mohegan Indians. I make it my business with all my interest to keep that matter quiet. Alas! Sr, I can no more hope to have those persons you name, Judges, than to have you Chief Justice of England. You have now the mercy of an honest Lord coming near you. If I can, I should be contented to have it referred to him; tis my Lord Lovelace, Governour of New York. I desire you would depute some of your company to wait on him, and deliver him the inclosed, and make him some small present. He is a man of honour, and he will use you justly. His Secretary, Mr. Cockrill, is I believe, a very honest man and you may trust him. I desire you would present to the Queen, a very handsome address to congratulate the good success of her arms against the French, and to take notice of the Duke of Marlborow, her General, and also to write a letter to the Duke of Marlborow to congratulate him, and to pay his kindness to your country, and that he would employ his great interest, that you may not be oppress'd by any Governour of Massachusetts, in New England, or by any Governour of

New York, as you have been by Col. Dudley in New England, and my Lord Cornbury in New York. And likewise the Earl of Sunderland to the same purpose, who is the Secretary to whom the care of the plantations belongs. And also a letter to the Duke of Bedford, and take notice in it that his grandfather the great Earl of Southampton the Lord Treasurer was founder of your colony. His name was Wriothesley, the Dukes Christian name. Your brother Nath'l is steward to Mrs. Howland, the Dukes mother-in-law, and take all your wise men together to draw up these letters: and thoroughly and fully set forth your hardships about the Mehugan Indians, and of Dudleys proceedings at Stonington, and that it was, as truly it is, a contrivance of Dudley's to rob you of your estates, and also set out the falseness of his complaint to the Queen and Councell about your not contributing to the charge of the war, when by his letter of the same date to you, he thanks you for the greatness of your supplies, and that you had actually been at ten thousand pounds charge for the support of the war in two years time, when your whole countrey has not in running cash ——— pounds in it. Put all these letters and memorials, under your common seal, either under a flying seal, or else send me duplicates, that I may know what is in them, and take notice that you send them to me as your publick agent, and also beg her Majesty, that she would not put her loyal colony to charge in receiving any accusation against them, so as to proceed upon it, without giving you liberty to answer for yourselves. And when you have got all these addresses and papers redy, send 'em to me as your agent, and write another letter to the Duke of Somerset, to thank him for the kindness he has shown you,

and another to the Duke of Devonshire, and take notice of the great services his Father has done you. Send all these by a special messenger to Mr. Cockrill, my Lord Lovelace's Secretary, and desire him to send them to me. I am very glad that my pains and services are accepted by you. And if I did not like the imployment I would not impair my health and spend my money and my precious time to watch all the motions of your vigilant enemies from my own pleasant seat and family. But I serve a good God in a glorious cause, and so I go on chearfully. I desire in your next you'd send me your body of laws, the number of your inhabitants as near as you can, ye number of your Ministers and Parishes, and the names of the most considerable Ministers, the extent of your colony, and how conversions to serious religion goeth forward. I have inquired about the acts of trade and navigation and there are no new books of rates made since the union. And I would have you have as little to do with England as you can. And therefore if the commissioners of the Custom House send you a Naval officer, they must pay him his salary and appoint security to be taken; but if the commissioners of the Custom House do not appoint any such officer, you may do it yourselves by vertue of your charter. You must be sure to keep close to that, and there you are safe and strong. Be sure in your addresses to the Queen you tell her that before Dudley came into New England Governour there were no complaints against you ever since you were a colony, or any acts of injustice, or any disaffection or disrespect to the Kings and Queens of England, which you abhor, and only pray that you may have the liberty to pray for her Majesty's long life and happy Reign, and that you may

peaceably enjoy the priviledges granted by Charter to your colony by her Majestys Royal predecessors. I dont doubt but you have paid the bills drawn on your late Governour John Winthrop Esqr, the last year, and that you will pay the bills I have now drawn upon you for a hundred and sixty pound New England money, and twenty pound to Mr. Noyse beside the exchange. Considering your poverty, this is all I shall draw upon you for my salary and expences this year, which have been very great. You must also write a complimenting letter to the Lord High Treasurer, who is at present the great Minister of State, to thank him for the service he has done you, and to pray the same things as you do to my Lord Marlborow. My very humble service to yourself, your Deputy Governour, the Councill and Representatives, and I am with great respect,

Yo'r very affectionate and Humble Servant,
H. ASHHURST.

To his Excellency Gordon Saltingstall Esqr, and to the Lieutenant Governor, Councill and Representatives of Connecticott.

In y'r letters to my Lord Sunderland, her Majesties principall Secretary of State, you are to take notice to him, that I do you the honour to be y'r publick Agent: And that if his Lordship has any matters before him relating to you, to pray him that he would be pleased to communicate them to me as your Agent.

A General Assembly holden at New Haven, October 14th, 1708.

It is ordered and enacted by this Assembly, that there shall be allowed and paid out of the publick Treasury of this colony, the sum of fifty pounds in pay, for the bringing up and maintaining of doggs in the northern frontier towns in this colony, to hunt after the Indian enemy, and be improved and ordered for that end, by the committee of warr in the county of Hartford, according to their discretion, as soon as may be, who are to procure as many doggs as that money will allow, to be always ready for the colony's service against the comon enemy.

It is ordered and enacted by this Assembly, that the committee of warr in the county of Hartford, shall cause to be erected in the towns of Windsor, Farmington, Simsbury and Waterbury, so many garrisons as they shall judge needfull, and support them with men and provisions as there shall be occasion; the garrisons to be erected at the charge of the colony, or else of the respective towns, as the said committee shall order, provided always that there shall be but two garrisons at Simsbury, and two at Waterbury, erected at the colony charge.

It is ordered and enacted by this Assembly, that the Hon'ble Dept. Governour, shall cause to be erected such and so many garrisons at Woodbury, Danbury and Weantenuck,* and support them with men and provisions as he shall judge necessary, at the colony's charge, provided there shall not be any other then two garrisons at Woodbury and one at Danbury, erected at the colony's charge.

* New Milford.

It is ordered and enacted by the Governour and Council and Representatives in Generall Court assembled, and by the authority of the same, that no person or persons whatsoever, within this colony, upon any pretence whatsoever, shall furnish, lend or sell to any of our friend Indian or Indians, any gun for any time longer or shorter, on pain of forfeiting such gun so lent or sold, or the full value thereof, upon conviction of the offence, before any one assistant or Justice of the Peace, or Court of Judicature within this colony. And it is further enacted by the authority aforesaid, that all and every person and persons whatsoever within this colony, who hath or have any gun or guns in the hands of any of the said Indians, which is or was lent to them, shall speedily recover and get the same out of their hands, on pain of forfeiting the same gunns as aforesaid. And all such forfeitures, shall be and belong to the Treasury of the county, wherein the offence is or shall be comited.

Letter from her Majesty Queen Anne.

ANNE R.

Trusty and well beloved, we greet you well, whereas we are fitting an expedition with great expence for the security of our subjects under your Government from the neighbourhood of the French at Canada, which hath been very troublesome to them of late years, according to certain proposals laid before us by our trusty and well beloved Colonel Vetch, and pursuant to many appli-

cations that have been made to us by our subjects who have suffered very much from the French in that neighbourhood. We do hereby strictly require and command you to be assisting to this our expedition, after the manner that the said Colonel Vetch shall propose to you in our name, and that you look upon those parts of his instructions which relate to you and to the Government under your care, and which we have ordered him to communicate to you in the same manner as if they were our positive commands directed to yourself, and that you pay the same obedience to them.— And so we bid you farewell.

Given at our Court at St. James, the second day of March, 1708-9, in the seventh year of our Reign.*

By her Majesties command,
SUNDERLAND.

To our Trusty and well beloved, the Governour of our Colony of Connecticut, or to the Governour of our said Colony in America for the time being.

* This letter was laid before the General Court the 12th of May 1709, with other information, that her Majesty was fitting out a squadron, which it was designed should arrive at Boston in the month of May or June, with about four thousand land forces to assist in the reduction of Canada.— Connecticut was required to raise 350 men to join the expedition. The Colonies eastward of Connecticut were required to raise 1200 men; the Colonial Governments were directed to furnish provisions for the troops for three months service. The army was to proceed by the way of the Lakes George and Champlain, and make a descent upon Montreal and Quebec. Connecticut raised their Quota with the greatest expedition. Col. Whiting was appointed to command them—the troops from the eastward were ready in season, and before the first of June the Provincials were ready to march for Canada. Gen. Nicholson formerly

At a General Assembly and Court of Election begun and holden at Hartford, in her Majesties Colony of Connecticut, in New England, on the 12th day of May, in the eighth year of the Reigne of our Sovereigne Lady Anne, Queen of Great Britain &c., Annoq. Domini 1709.

By order of the Honnourable the Governour, the Gent, members of both Houses being mett together, the Governour caused severall letters and writings to be read before them, that is to say, a letter from Sr Henry Ashhurst, Agent of this colony, bearing date August 25th 1708, and a letter sent to the said Agent, bearing date January 28th, 1708-9, and the Hon'ble the Governour, now also laid before the Assembly, a letter to him directed and sent from her Majestie, our Sovereigne Lady the Queen, bearing date the 2d day of March, 1708-9, requireing the assistance of her subjects

Lieut. Governor of New York, was appointed to the chief command, with orders to march as far as Wood Creek ; and there to wait the arrival of the Fleet at Boston, and then to advance, in order that the attack upon Quebec and Montreal might be made at the same time. The Colonies had made great exertions to promote the expedition ; more than two hundred boats had been built and were in readiness for crossing the Lake. But the Fleet expected from England did not arrive—owing to some reverses of the English allies in Europe, the expedition designed for America, sailed for another destination, and the expedition was defeated. A great mortality prevailed among the troops, and in the fall Gen. Nicholson with the troops returned to Albany. More than one fourth of the troops died in this fruitless expedition. Connecticut sustained the loss of ninety men. At a special session of the Assembly, on the 8th of June, it was enacted, that for want of money, there be forthwith imprinted £8000 in bills of credit on the Colony, to assist in carrying on the expedition. This was the first emission of paper currency in Connecticut.

in this colony, in an expedition now forthwith to be made against the French at Canada, according to her Majesties instructions to the Hon'ble Col. Vetch relating thereunto, directing and commanding that 350 men be raised in this colony, and sent upon the said expedition; and the Governor recommended the consideration of the said letter and instructions to this Assembly; and the same was considered accordingly—and thereupon the Governour, Councill and Representatives, now in General Court Assembled, having a very deep sense of her Majesties Royal favour, in resolving upon the said expedition against Canada, out of special favour to this colony, with the neighbouring provinces, which have suffered so greatly by the French of that settlement (which they do hereby agree and order to be humbly presented to her Majestie, in an address for that end, prepared and signed by the Governour and Secretary in their names) have resolved and do hereby resolve and enact, with all possible dispatch, to comply with that part of her Majesties instructions accompanying the said letter, which concerns this colony, and to joyne forthwith the forces of New York, Newjersey and Pensilvania with 350 men, (that being the quota of men in this colony, mentioned in the instructions aforesaid) with whom the Governour shall send some sutable person of this colony, to take a general care of them, who shall be subsisted at the charges of this colony, and maintained in their pay; the executing of which, this Assembly doth leave with the Honnourable the Governour and Councill; for whose furtherance and assistance therein, this Assembly have agreed upon a body of conclusions now to be delivered to them.

An address to her Majestie, relating to the expedition against Canada, signed by the Hon'ble the Governour and Secretary, in the name of this Assembly, and also a body of conclusions for the assistance of the Governour and Councill in the managin the said expedition, so far as this colony is concerned therein, was now drawn, read, considered and approved in this Assembly, whereof true copies are by this Assembly, ordered to be kept on file.

It is ordered and enacted by the Governour, Councill and Representatives in Generall Court assembled, and by the authority of the same, that there shall be allowed and paid out of the Publick Treasury of this colony, to all private centinells, as well volunteers, as such as are or shall be impressed (who shall be employed and go into her Majesties service, on the expedition against Canada) within this colony, the sum of two shillings and sixpence pr day in pay, for their wages, for every day of the week, from the time they are listed or impressed, untill they shall be dismissed from that service, and that there shall be allowed and paid out of the said Treasury, to all officers within this colony, as well volunteers as others, who shall go upon said expedition, additions to their wages of centinells, any law to the contrary notwithstanding.

It is ordered and enacted by the authority aforesaid, that whatsoever shall be necessary for the comfortable subsistence of our troops, who are now going on the expedition against Canada, such as Duffells or other cloath &c., which cannot be procured in this colony, shall be taken up (by order from the Governour and Councill) in any other province, and shall be charged upon this colony, and paid for by the Treasurer of the same.

Conclusions agreed upon in the General Assembly held in Hartford, May 12, 1709, relating to the expedition to Canada now to be pursued, for the assistance of the Gov'r and Council in the further managing and expediting that affair.

1. That the Governour, when he comes to New York, whither he is now going, endeavour to obtain a generall command, for some gentleman of our own Government to be appointed by our Gov'r and Council, to go to Canada; that our troops may be under his particular eye and care.

2. That the Indians in our Government, be encouraged to go, by allowing them arms, ammunition and wages, at her Maj'ties charge.

3. That it be concerted and agreed, in case Canada should be reduced, that none of our souldiers be obliged to stay in garrison there, but have leave to return.

4. That bread be procured at Albany or New York, and our wheat exchanged for it.

5. That a sloop be sent forthwith to New York for arms and ammunition out of her Maj'ties stores.-

6. That we be exempted out of the charge of the store house to be erected at Wood Creek, which will be of constant use to New York, and no benefit to us as toe this expedition.

7. That the provisions necessary for our forces, be taken where they shall be cheapest had in the colony, and most for the advantage of the Government.

8. That 372 men be raised out of the train bands in the severall towns underwritten, and in the proportion added, out of which 350 effective men only to go in ye expedition.

9. That a Captain, Physician, and chirurgeon be provided and furnished to march with our men.

10. That our men shall be raised forthwith by a warrant from the Gov'r to the severall Captains, to impress their proportions of men, and have them completely fitted and march them immediately to their County Towns, or otherwise as the Gov'r shall order, there to be billeted and under the command of the Captains of the said County Towns, or other chief military officers in the said Towns, till further orders from our Gov'r. Such men as have no good arms, of their own, shall be furnished with arms and ammunition, out of stores already provided.

11. The proportion of our Troops to be raised in our severall Towns are as follows—

Hartford,	22 Haddam East side,	6
N. Haven,	17 Haddam West side,	5
Windsor,	22 Darby,	4
Weathersfield,	16 Fairfield,	13
Glassenbury,	6 Simsbury,	6
Milford,	14 Woodberry,	7
Guilford,	13 Preston,	7
N. London,	16 Groton,	9
Wallingford,	12 Saybrook,	11
Waterbury,	4 Stamford,	9
Killingworth,	5 Windham,	6
East Haven,	5 Norwich,	13
Greenwich, and	Lebanon,	11
Horsneck,	6 Stonington,	13
Lyme,	11 Danbury,	5
Stratford,	11 Plainfield,	5
Norwalk,	10 Farmington,	11
Colchester,	7 Durham,	2
Middletown,	13 Mansfield,	2
Branford,	9 Canterbury,	2
Massamugget,*	3 Kellenslie,†	3

12. That if any thing not provided for in these conclusions, and for the service of the expedition,

*Pomfret,

†Killingly,

346 *Conclusions in General Assembly.*

and for the advantage of this Government, can be done at New York, whither the Gov'r is now going; it is hereby recommended to his care.

past in the lower House.

Test RICHARD BUSHNELL, Clerk.

May 13th, 1709.

past in the Upper House.

Test CALEB STANLEY, Secretary.

May 13th, 1709.

A scheme of the stores of Provisions &c. necessary for 360 men, for four months.

40,003 lbs. of Bread, being 1 lb. a man a day.

111 Barrels of Porke, w'ch is halfe a pound a day for a man.

340 Bushels of Pease w'ch is 1-2 pint a day for 300 men.

120 Bushels of Indian Corn, w'ch is a pint a day for 60 Indians.

1488 Gall's of Rum, w'ch is 1 gill a day for a man.

11 thousand wt. of Beef, w'ch is 1-4 pound a day for a man.

900 yds. of Duffels, of w'ch we have of ye old store at Boston about 100 yds.; and at N. London 15 yds.

300 Snap sacks for the English, supposeing ye Indians will use baggs of their own.

300 Baggs for the carrying 3-4 of the above quantity of bread from Albany, of w'ch there are already some at New Haven, and some at Coll. Whittings at Hartford, and there are at N. London 15 baggs and 49 bed sacks w'ch will make 98 baggs.

2000 wt. of Tobacko.

*At a General Assembly holden at New Haven, the
13th day of October, 1709.*

An act for stating and settling the wages of divers officers and centinells, in the Expedition against Canada, this present year 1709, and for ascertaining the allowances for Billetting of officers and soldiers, &c.

It is enacted and ordained by the Governour, Councill and Representatives, in Generall Court Assembled, and by the authority of the same, that there shall be allowed and paid out of the publick Treasury of this Colony to the severall Captains and other officers and private centinells hereafter mentioned for the service in the Expedition against Canada.

To each Captain, by the week, £1 9 2

To each Lieutenant, by the week, 1 3 4

To each Serjeant, by the week, 0 14 7

To Clerks, Trumpeters and Drummers,
by the week, 0 12 0

To Corporalls and centinells, by the week, 0 11 8

To Mr. Adjutant Goodrich by the week, 1 9 2

and it is ordered and enacted by the authority aforesaid, that there shall be allowed and paid to all such persons as have furnished the forces, with Horses in the said expedition (to such number as were allowed to each company, by the Governour and Councill) for the service of their said Horses, one shilling and four pence pr. week, as money for each Horse, and for each Horse dead or lost, in the said service, the value of such Horse as money, according as shall be determined by the judgment of two indifferent men upon oath, who knew the worth or value of the Horse, to be appointed and sworn by the next assistant, or Justice of the Peace, and that there shall be allowed and

paid to all such persons as have furnished the forces with arms, saddles, bridles, or any other tackling for horses, or other things whatsoever, for the use and service thereof, so much as is the value of the damage don to the same ; and in case any such arms, furniture or other things is lost, or shall be lost, wholly spoiled or not returned, there shall be allowed and paid to the owners thereof, the value of such arms, furniture or other things, as money, to be sett thereon according to the direction of an act of this Assembly, made for that purpose, October 12th, 1704. Provided always, that the owners of such horses, as are dead, or shall die upon the expedition, or be lost and not returned, shall be paid only the value of such horses, to be determined and sett as aforesaid, and no wages or pay for their service.

And it is further enacted by the authority aforesaid, that there shall be allowed and paid to all such persons as have billeted or victualled any officers or soldiers, upon the said expedition, and who shall so do, the sum of three pence pr meal as money, but in such case, where any of the said officers and soldiers were billeted or victualled, one whole weeks time or more, there shall be allowed and paid three shillings and four pence pr week, as money, and at that rate for the same, and no more, and that there shall be allowed and paid for pastureing or keeping horses upon the said expedition, three pence pr night, or twenty-four hours, for each horse, and where any such horse hath been, or shall be pastured or kept, one whole week or more, there shall be allowed and paid but eight pence pr week, as money, and at that rate for the same.

GENTLEMEN :—

My Lords Commissioners for trade and plantations command me to send you the enclosed queries, relating to the colony of Connecticut, and to desire your particular answers thereto as soon as may be.

I am ALVERD POPPLE.

1. What is the situation of the colony under your Government, the nature of the country, soile and climate, the latitudes and longitudes of the most considerable places in it, have those latitudes and longitudes been settled by good observations, or only by common computation; and from whence are the longitudes computed?

2. What are the reputed boundaries, and are any parts thereof disputed, what parts and by whom?

3. What is the constitution of the Government?

4. What is the trade of y^r colony, the number of shiping, theire tonage, and the number of seafaring men, with the respective increase or diminution within ten years past?

5. What quantity and sorts of Brittish manufactures do the inhabitants annually take from home?

6. What trade has the colony, under your Government with any forreign plantations, or any part of Europe, besides Brittain, how is that trade carried on, what commodities do the people under your Government send to, or receave from forreign plantations?

7. What methods are there used to prevent illegal trade, and are the same effectuall?

8. What is the naturall produce of the country, staple commodities and manufactures, and

what vallue thereof in sterling money, may you annually export ?

9. What mines are there ?

10. What is the number of inhabitants, whites and blacks, and are the inhabitants increased or decreased, within the last ten years, how much and for what reason ?

11. What is the number of the Millitia ?

12. What Forts and places of defence are there within your Government, and in what condition ?

13. What number of Indians have you, and how are they inclined ?

14. What is the strength of the neighbouring Indians ?

15. What is the strength of the neighbouring Europeans, French or Spaniards ?

16. What effect have the French or Spanish settlements on the continent of America, upon his Majesties plantations, especially on youre colony ?

17. What is the Revenue arising within youre Government, and howe is it appropriated ?

18. What are the ordinary and extraordinary expences of youre Government ?

19. What are the establishments civill and Millitarie, within youre Government, and by what authority do the officers hold their places ?

It is desired that an annuall return may be made to those queries, that the board may, from time to time, be apprised of any alterations that may happen in the circumstances of your Government.

MAY IT PLEASE YOUR LORDSHIPS :—

We have received your queries, to his Majes-

ties colony of Connecticut, and in answer thereunto, we inform your Lordships as followeth:—

1. The colony of Connecticut is situate upon three principal rivers, viz. Connecticut river, Stratford and Quinabauge rivers, and on the sound Southward toward Long Island, in some places oure lands are intervaile or meadow, upon the rivers, and by the sound the soile is fruiittull, but the far greater part of the land in the coloney is mountainous, rockey and more barren; the climate is very cold in the winter, and very hot in the summer, the weather, often and suddenly changing.—The colony lyeth between forty-one and forty-two degrees of North Latitude, and in Longitude about seventy degrees West from London: the Latitude has been found by repeated and carefull observations.

2. The reputed and known boundaries, are the Massachusets in the North, Road Island colony on the East, Long Island Sound on the South, and New York Province on the West. No points thereof are disputed, but all settled and ascertained, excepting some part of New York, the dividing line betwixt this colony and New York.

3. As to the Constitution of the Government, the Legislator is by oure Royall Charter, granted by King Charles the Second, of blessed memory, lodged in the Generall Court, consisting of a Governour, or in his absence a Deputy Governour, twelve assistants, and one or two Deputies from every town. The Governour, Deputy Governour and assistants, are annually chosen by the major part of the freemen in the colony, and the Deputies by the freemen in each town, which Court or Assembly, are divided into two Houses, the upper House consisting of the Gov'r, or in his absence the Deputy Gov'r and six assistants at

least, and the lower House of the Deputies ; without the consent of the major part of each House, no act is passed, who makes laws, institute judicatures, appoint Judges and necessarie officers, and cause them to be sworn, grant lands, make orders and institutions as the necessity of the Government requires, which Assémbly meet twice in the year, and in the vacancies, the Gov'r and assistants, manage the contingent affairs.

4. The trade of the colony is but small, horses and lumber are exported from home to the West Indies, for which we receive in exchange, sugar, salt, and millasses and rum ; what provisions we can spare, and some small quantities of tar and turpentine are sent to Boston and New York and Rhoad Island, for which we receive European goods, the number of oure shiping and their tunnage is as followeth :

Hartford, Daniel Williams, Master, Sloop Mary, 60 tuns.

Greenwich, Sloop Sarah and Abigail, Henry Joans, 30 tuns.

Gilford, Sloop Mary,	12
New London, a Brigantine, London,	60
Norwich, Sloop Olive Branch,	25
Milford, Sloop Tryall,	40
New Haven, Schooner Elisabeth and Mary,	50
Seabrook, Sloop Lucy,	35
Killingworth, Sloop,	10
Norwich, Sloop Mary,	20
Hartford, Sloop Rebeckah,	40
New Haven, Sloop Humbard,	20
Norwich, do. Martha and Elisabeth,	40
Haddam, do. Ranger,	30
New London, a Brigantine,	80
Gilford, Sloop Tryall,	30

Middletown, Sloop Lark,	45
Norwich, do. Success,	40
Hartford, do. Hampshier,	18
New London, do. Lydia and Mary,	25
Branford, do. Dolphin,	33
New Haven, do. Mary and Mercy,	30
Hartford, do. Tryall,	35
New Haven, Schooner Tryall,	30
Milford, Sloop Swallow,	30
Norwalk, Sloop Tryall,	25
Gilford, do. Swan,	25
Middletown, Brigantine, Alten,	60
Gilford, Sloop Rubie,	30
Killingworth, do. Tryall,	20
New Haven, do. Tryall,	35
Weathersfield, do. Thankfull and Ann,	18
Greenwich, do. Elisabeth,	30
Stratford, do. Endeaver,	30
Fairfield, do. ———,	20
New London, do. Dolphin,	15
Stratford, do. Indeaner,	30
New London, do. Michael,	12
Lyme, do. Three Brothers,	30
Stratford, do. Dolphin,	12
Seabrook, do. North,	25
Seabrook, do. Joseph and Mary,	30

Forty-two saile of vessels, which stand in the same order as they do in the Collectors Register Book. Our seafaring men are only what are necessarie to manage the shiping afores'd, there hath been no sensible addition or diminution, for ten years past, then heretofore, only that we have built considerable more the ten years last past then heretofore, the most of said shiping, so lately built, have been sold att the Province of Boston, West Indies, and to his Majesties subjects of Great Brittain, Bristole, &c.

5. Our inhabitants take (annually) all sorts of woollen cloth, silks, glass, nailes, sithes, pewter, brass, and fire arms, of the British manufactures, but we cant ascertain your Lordships, the quantity.

6. The trade which the coloney hath with any foreign Plantations, is only as before mentioned, and with no parts of Europe, excepting only a few voyages to Ireland, with timber and some few, one or two that have built here of late, made their voyage to Bristole, these sold ships and cargo and brought their returns hither.

7. The method used to prevent illegall trade, are the measures taken by the collector placed at New London, and his Deputy at Fairefield, where are also navall officers, under the strictest regulations, which do at present prove effectuall, but there being many other convenient Harbours along the sound, many of which were allowed to be free Ports, will render it difficult, had we any considerable trade, and now is a great hardship and an obstruction to the little trade that we have, all being obliged to put in at New London, to enter and cleare, whereby some winds and much time is lost.

8. The produce of the country, is timber, boards, all sorts of English grain, Indian corn, Hemp and Flax, Sheep, Cattle, Swine, Horse kind, Goats and Tobacco, our manufactories are inconsiderable, our people being generally imployed in tilling the earth, some few are imployed in tanning and shew making and other handy crafts, others in building Giner work, Tailors, Smiths, without which we could not subsist.

9. There are some Coper mines found among us, which have not yet been very profitable to the undertakers, Iron Oare hath been found in sundry places and improved to good advantage.

10. The number of oure Inhabitants of both sexes and all ages are computed to be 38,000, and about 700 Indians and Negroes. The Inhabitants are much increased within this ten years last past, the reasons are chiefly the country is new and large, secondly the intestate estates are or have been divided among all their children, which encourages them while in their fathers family to join their united strength to cleare and subdue the earth, and thereby make room for their own settlement, when they come of age, but the consummate and principall reason is the blessing of the almightie on the fruit of our bodies and the fruit of our land.

11. The number of our milletia according to list or muster rolls of the trainbands, which consist of all from sixteen to fifty five years of age is 3500.

12. In time of War we have always had sundry Forts on oure frontiers to cover us from the insults of the French and Indians, which yet have never been of any great service to us, the enemy coming in small partys surprise our people suddenly, and then flee into the adjacent wood, we have had a Fort at New London long since and severall pieces of cannon, but are now building a new Fort where are already mounted foure cannons to secure that port, and in a short time intend divers more shall be there mounted.

13. The number of Indians amongst us are about 1600 of both sexes and all ages, they are inclined to hunting, idlenes and excessive drinking, some of their youth are now in a school at Mohegan, set up and maintained by the English, for that purpose, and they give good evidence of their docibility.

14. The five nations, of Indians as they are called, live about 250 miles west ward from us. The French

Indians that live at Canada and the Eastern Indians which live about 250 miles to the northeast of us are our only neighbouring Indians and their strength is unknown to us.

15. The Spaniards have not settled in North America to the eastward of Cape Florida, as we know of, which is very distant from us ; the French at Canada are about 400 miles north from us, and of considerable strength.

16. The Spaniards in South America, have of late years taken some vessels from this, and sundry from the neighbouring Governments. The French at Canada have been very troublesome to this and the neighbouring Governments, always encouraging the Indians against the English, supplying them with arms and ammunition, and joining with them in making inroads in time of War, they are of considerable strength, and since they are settled on the River Saint Lawrence, and on Maseeipi,* to the mouth of it, boasting in time they will drive us all into the sea.

17. The annual Revenue, arising on rates and duties is about £4000 in our paper currency, of which about £1000 is yearly laid out in maintaining free schools for the education of our children, the remainder is for the support of his Majesties Government here and to sink a heavy debt we contracted in the war and our expedition against Canada and Anapolis in the Reign of Queen Anne.

18. Our civil establishments, are first, a Superior Court, consisting of one Chief Judge and four Judges ; this court sits twice in the year in each county, tries all high crimes and misdemeanours, and civil actions that come to them by appeals from the inferior court, secondly, an inferi-

*Mississippi.

our court in each county consisting of one Chief Judge and three more Justises of the quorum, these courts have theire quarter sessions for the tryall of delinquents and sivill actions; thirdly, in most of oure Towns is one or more Justises of the Peace, for the conservation of the peace, and tryall of small cases.

19. The malitia is divided into five Regiments, as many as there are counties; over which the chief officer is at present a Major, to each of which Regiments belongs a troop; the superiour officers are appointed by the General Court; the Captains, Lieutenants and Ensigns, are chosen by the souldiers, approved by the Generall Court, and all commissioned by the Govern'r in the name of oure Lord the King.

To the Right Honourable the Lords commissioners for trade and Plantations.

Signed pr order of his Hon'r the Gov'r and the Assembly.

HEZ. WYLLYS, Secretary.

Letter from his Majesty George the Second.



GEORGE R.

Additional instructions to our trusty and well beloved the Governor and company of our Colony of Connecticut in New England in America, or to the Governor and company of our said Colony,

for the time being—Given at our Court at St. James's the fifth day of May 1732, in the fifth year of our Reign.

Whereas complaint hath been made to us by the Merchants of our city of London, in behalf of themselves and of several others of our good subjects of Great Britain, trading to our plantations in America, that greater Duties and Impositions are laid on their Ships and Goods, than on the Ships and Goods of persons who are natives and inhabitants of the said Plantations. It is therefore our will and pleasure that you do not, upon any pretence whatsoever, on pain of our highest displeasure, give assent, for the future to any law wherein the natives, or inhabitants of the Colony of Connecticut under your Government, are put on a more advantageous footing than those of this Kingdom. It is further our will and pleasure, that you do not, and you are hereby expressly forbid to pass any law by which the trade or navigation of this Kingdom, may be any ways affected ; hereby declareing it to be our Royal intention no duties shall be laid in the Colony under your Government, upon British shipping, or upon the Product or Manufactures of Great Britain, upon any pretence whatsoever.

G. R.

Order to be observed in Prayers for the Royal Family.

At a General Assembly holden at Hartford in his Majesties Colony of Connecticut, on the second Thursday of May, A. D. 1741.

Whereas at a councell held at St. James's the 29th of January 1740, His Majesty was pleased to declare his Royal pleasure that in all publick services where the Royal Family is appointed to be prayed for, the following form and order, shall be observed viz. *Their Royal Highnesses Frederick Prince of Wales, the Princess of Wales, the Duke, the Princess, the Issue of the Prince and Princess of Wales, and all the Royal Family.*

And to the end that the same form and order may be observed in this His Majesty's Colony of Connecticut, His Majesty has been pleased to order the Governor and Company of this Colony, to cause the same to be forthwith published in all churches and other places, of Divine worship, within this colony, and take care that obedience be paid thereto accordingly.

Be it enacted by the Governor, Council and Representatives in General Court Assembled, and by the authority of the same, that obedience be paid to His Majesty's order aforesaid, and that a copy of this act be forthwith printed and sent to the several churches and places of Divine worship and there published accordingly.

Queries from the Board of Trade to the Governor and Company of the Colony of Connecticut.

What is the situation of the Colony under your Government; the nature of the country, soil and climate, the Latitude and Longitudes of the most considerable places in it or the neighbouring French or Spanish settlements; have those Lati-

tudes and Longitudes been settled by good observations, or only by common computations, and from whence are the Longitudes computed?

What are the reputed boundaries, and are any parts thereof disputed, what parts and by whom?

What is the Constitution of the Government?

What is the trade of the colony, the number of shipping, their tonnage, and the number of seafaring men, with the respective increase or diminution within ten years past?

What quantity and sorts of British manufactures do the inhabitants annually take from hence?

What trade has the colony under your Government, with any foreign Plantations, or any part of Europe, besides Great Britain, how is that trade carried on, what commodities do the people under your Government send to, or receive from foreign plantations?

What methods are there used to prevent illegal trade, and are the same effectual?

What is the natural produce of the country, staple commodities and manufacturies; and what value thereof in Sterling money, may you annually export?

What mines are there?

What is the number of inhabitants, whites and blacks?

Are the inhabitants increased or decreased within the last ten years, how much and for what reasons?

What is the number of the Militia?

What Forts and places of defence are there within your Government, and in what condition?

What number of Indians have you, and how are they inclined?

What is the strength of the neighbouring Indians?

What is the strength of your neighbouring Europeans, French or Spaniards?

What effect have the French or Spanish settlements on the continent of America, upon his Majesties Plantations, especially on your colony?

What is the Revenue arising within your Government, and how is it appropriated?

What are the ordinary and extraordinary expences of your Government?

What are the establishments, civil and Military within your Government, and by what authority do the officers hold their places?*

Answers to the foregoing Questions.

MAY IT PLEASE YOUR LORDSHIPS—

We ha received your queries directed to the Gov'r and Company of this his Maj'ties colony of Connecticut, and in answer thereunto inform your Lordships—

1. The situation of the colony, as hath been found by regulated and careful observations, is between 41 and 42 degrees of N. Latitude, and about 71 of West Longitude from London; the three most considerable rivers in the colony, are Connecticut, Stratford and New London river, the two principal branches of which last mentioned river, called Quinebaug and Shetuckett, tis boun-

* It will be observed that the date is not affixed to the above, but by an indorsement on the back of the original manuscript, it appears that it was received by the Governor on the 13th day of September, 1748.

ded Southerly by the sea or sound, near which, and by the rivers, the soil is more fruitfull, but the greatest part of the land is mountainous and rocky ; the climate is very cold in winter and hot in summer.

2. The colony is bound Southerly on the sea or sound, Easterly on Rhode Island, Westerly on New York, North on the line of the Massachusetts colony.

3. As to the Constitution of the Government, the Legislative power, is by the Royal Charter, vested in the Generall Assembly, which consists of the Gov'r, or in his absence, the D. Governour and twelve assistants (whereof the Gov'r, Deputy Gov'r and six assistants are a Quorum,) and Representatives from each town, not exceeding two ; all which are chosen by the freemen of the respective towns ; the Gov'r, or Deputy Gov'r and assistants are called the upper House, the Deputies or Representatives, the lower House ; without the concurrence of each House, no act is pass'd ; they make laws, institute judicatures, appoint Judges and other necessary affairs, who before they enter upon their respective offices are al sworn ; they meet twice in each year, viz. in May and October, and oftener if called together by the Gov'r on any emergency.

4. The trade of the colony is not large, horses, lumber and some provisions, are exported to the West India Islands ; from whence we receive in exchange, sugar, rum, molasses, salt, some bills of exchange ; what provisions we can spare are principally sent to Boston, New York and Rhode Island, to pay for European goods which we have mostly from thence, though of late we have had some quantities of goods imported directly from Great Brittain, which trade we are endeavouring

ich, the y ; um- sea on hu- unt, er, of ur ty p- o : e- d J- r- e- e-
to cultivate ; as to the number of shipping and sea faring men we must referr you to the acc't from the Collector and Naval Officer, which we herewith transmit, and which is sent quarterly to the Commissioners of the Customs.

5. Our inhabitants, take annually of the British manufactures, all sorts of woollen cloath, silks, scythes, nails, glass, pewter, brass, fire arms, and all sorts of cutlery ware, the quantity we cannot ascertain.

6. We have at present, no trade with any foreign plantations, though before the late war, we had some few vessells that went up the Mediteranean with Fish, with which they purchased bills of exchange, and brought the effects home in British manufactures.

7. The methods used to prevent illegal trade are a strict conformity to the acts of Parliament, relating thereto, by the Collector and Naval Officer, which we conclude are effectual.

8. The produce of the country consists of timber, English grain, Indian corn, flax, hemp, tobacco, horses, cattle, sheep, swine ; some small quantities of each of which are annually exported, as before mentioned ; our manufactures are inconsiderable, our people being generally imployed in clearing and tilling the earth ; some tradesmen there are, as Tanners, Shoemakers, Joyners, Smiths, Carpenters, &c. without which we could not subsist.

9. There are some coper mines, but proving unprofitable, are wholly laid aside ; iron oar hath been found in sundry places, and improved to good advantage.

10. The number of our inhabitants of both sexes and all ages, are computed to be about 70,000 whites, and 1000 blacks, and they are great-

ly increased within the ten years last past, which we attribute, (under the Divine Blessing,) to a wholesom air, industrious life, and frugality in living.

11. The Militia are computed to be about 10,000, recconing from 16 to 50 years of age.

12. We have a Battery at New London, in which are 9 guns mounted, and in our most exposed positions, many fortifications, to secure the people from the insults of the enemy.

13. The Indians among us are about 500 in all, they are naturally inclined to idleness and excessive drinking, but the great pains that hath been taken, to instruct them in literature, and in the christian religion seems not to be altogether in vain.

14. There are no Indians that border upon us; the six nations, so called, are the nearest, who live partly in New York Governm't, and partly westward of it.

15. The Spaniards have no settlements near to us than St. Augusteen; the French, at Canada, though not very near, have been very troublesome, especially since they have built a strong Fort on this side the Lake, at a place called Crown Point, from which they, with the Indians, often make excursions, and distress our Frontiers, and those of New York and the Massachusetts, which occasions a great expence in garrisoning them.

16. The annual Revenue, by rates and duties, in time of peace, amounts to about £9000 in bills of credit, about £2000 of which is expended in the support of schools for the education of youth; the remainder for the support of Government; since the commencement of the war, our expences have been vastly greater.

17. Our civill establishments, are 1, a Superiour Court, consisting of one Chief Judg, and four assisting Judges, this Court sitts twice in the year in each county, in which are tryed all high crimes and misdemeanours, and civil actions that come to them by appeal from Inferiour Courts. 2, an Inferiour Court in each county, consisting of one Chief Judg and three or more Justices of the Quorum, who sit twice in the year, and oftener if occasion requires, for the tryal of delinquents and civil actions; in all these Courts, matters of law is determined by the Court, and matter of fact by a Jury. 3, in each town, are one or more Justices of the Peace, for conservation of the peace, and tryal of small causes; the Militia is divided into thirteen Regiments, the officers in each, are a Col' Lieut. Col' and Major, and in each Regiment, is a Troop of Horse, all the officers, both civil and Military, are approved by the Gen'l Assembly, and commissioned by the Gov'r.

Colony of Connecticutt, } Hartford, May 11th,
General Assembly, } 1749.

Upper House—The foregoing are answers to the queries from their Lordships of the Board of Trade, to the Governour and Company of the Colony of Connecticutt, and ordered the Secretary to direct the same to the Right Hon'ble the Lords Commissioners for Trade and Plantations, and sign the same, pr order of this Assembly.

Test GEORGE WYLLYS, Sec'ry.

In the Lower House—The foregoing answers to ye Queries, read and approved by concurrence.

Test JNO. FOWLER, Clerk.

Anno Regni Regis Georgii tertii 14th.

At a General Assembly of the Governor and Company of the English Colony of Connecticut in New England in America, holden at New Haven in said Colony on the second Thursday of October, being the 13th day of said month and continued by several adjournments to the fourth day of November next following Annoq. Dom. 1774.

By the House of Representatives of the English Colony of Connecticut, second Thursday of May 1774.

This House taking into serious consideration sundry acts of the British Parliament in which the power and right to impose duties and taxes upon His Majesties subjects in the British Colonies and Plantations in America, for the purpose of raising a Revenue only, are declared, attempted to be exercised and in various ways enforced and carried into execution, and especially a very late act, in which pains and penalties are inflicted on the capital of a neighboring Province, a precedent justly allarming to every British Colony in America, and which being admitted and established, their lives liberties and properties are at the mercy of a Tribunal where innocence may be punished upon the accusation and evidence of wicked men without defence and even without knowing its accusers, a precedent calculated to terrify them into silence and submission, whilst they are stripped of their invaluable rights and liberties, do think it expedient and their duty at this time to renew their claim to the rights, privileges and immunities of free born Englishmen, to which they are justly entitled, by the laws of nature, by the Royal Grant and Charter of his late Majesty King Charles the sec-

ond, and by long and uninterrupted possession, and thereupon do declare and Resolve as follows to wit—

In the first place we do most expressly declare, recognize and acknowledge His Majesty George the Third to be the lawful and rightful King of Great Britain and all other his dominions and countries, and that it is the indispensable duty of the people of this Colony, as being part of his Majesties dominions, always to bear faithful and true allegiance to His Majesty, and him to defend to the utmost of their power against all attempts upon his person, crown and dignity.

2. That the subjects of His Majesty in this Colony, ever have had, and of right ought to have and enjoy all the liberties, immunities and privileges of free and natural born subjects, within any of the dominions of our said King, his heirs and successors, to all intents, constructions and purposes whatsoever as fully and amply, as if they and every of them were born within the realm of England, that they have a property in their own estate, and are to be taxed by their own consent only, given in person or by their Representatives, and are not to be disseized of their liberties or free customs, sentenced or condemned, but by lawful judgment of their Peers, and that the said rights and immunities are recognized and confirmed to the inhabitants of this Colony by the Royal grant and Charter aforesaid, and are their undoubted rights to all intents, constructions and purposes whatsoever.

3. That the only lawful Representatives of the freemen of this Colony, are the persons they elect to serve as members of the General Assembly thereof.

4. That it is the just right and privilege of

His Majesties leige subjects of this Colony to be Governed by their General Assembly in the article of taxing and internal police, greeable to the powers and privileges recognized and confirmed in the Royal Charter aforesaid, which they have enjoyed for more than a century past, and have neither forfeited nor surrendered, but the same have been constantly recognized by the King and Parliament of Great Britain.

5. That the erecting new and unusual courts of Admiralty, and vesting them with extraordinary powers above, and not subject to the controll of the common law courts in this Colony, to judge and determine in suits relating to the duties and forfeitures contained in said acts, foreign to the accustomed and established jurisdiction of the former courts of Admiralty in America, is in the opinion of this House, highly dangerous to the liberties of His Majesty's American subjects, contrary to the great Charter of English liberty, and destructive of one of their most darling rights; that of tryal by Jurors, which is justly esteemed one chief excellence of the British constitution, and a principal bulwark of English liberty.

6. That the apprehending and carrying persons beyond the sea to be tryed for any crime alleged to be committed within this Colony, or subjecting them to be tryed by commissioners, or any court constituted by act of Parliament or otherwise within this Colony in a summary way without a Jury, is unconstitutional and subversive of the liberties and rights of the free subjects of this Colony.

7. That any Harbors or Ports duly opened and constituted cannot be shut up and discharged but by an act of the Legislature of the Province or Colony on which such Port or Harbor is situated

without subverting the rights and liberties and destroying the property of his Majesty's subjects.

8. That the late act of Parliament inflicting pains and penalties on the town of Boston by blocking their Harbor is a precedent justly alarming to the British Colonies in America, and wholly inconsistent with, and subversive of their constitutional rights and liberties.

9. That whenever His Majesties service shall require the aid of the inhabitants of this Colony, the same fixed principles of Loyalty, as well as self preservation which have hitherto induced us fully to comply with His Majesties requisitions, together with the deep sence we have of its being our indispensible duty, in the opinion of this House, will ever hold us under the strongest obligations which can be given or desired most cheerfully to grant His Majesty, from time to time, our farther proportion of men and money, for the defence, protection, security and other services of the British American dominions.

10. That we look upon the well being and greatest security of this Colony to depend (under God) on our connections with Great Britain which is ardently wished may continue to the latest posterity ; and that it is the humble opinion of this House, that the constitution of this Colony being understood and practiced upon as it has ever since it existed til very lately, is the surest bond of union, confidence and mutual prosperity of our mother country and us, and the best test foundation on which to build the good of the whole, whether considered in a civil, military or mercantile light; and of the truth of this opinion, we are the more confident, as it is not founded on speculation only, but has been verrified in fact, and by long experience found to produce according to our extent and

other circumstances, as many loyal, virtuous, industrious and well governed subjects as any part of his Majesty's dominions, and as truly zealous, and as warmly engaged to promote the best good and real glory of the grand whole, which constitutes the British empire.

11. That it is an indispensable duty which we owe to our King, our Country, ourselves and our posterity, by all lawful ways and means in our power, to maintain, defend and preserve these our posterity, by all lawful ways and means now in our power to maintain, defend and preserve these our rights and liberties, and to transmit them entire and inviolate to the latest generations, and that it is our fixed, determined and unaltered resolution faithfully to discharge this our duty.

In the Lower House the foregoing resolutions being read distinctly, three several times and considered, were voted and passed with great unanimaty; and it is further voted and requested by this House, that the same be entered on the records and remain on the files of the General Assembly of this Colony.

Test WILLIAMS Clerk, H. R.

In the Upper House the consideration of the request of the Lower House, that the aforesaid resolutions should be entered on the records of the Assembly &c. is referred to the General Assembly to be holden at New Haven, on the second Thursday of October next.

Test GEORGE WYLLYS, Secretary.

In the Upper House on further consideration &c. it is agreed and consented to, that the foregoing resolutions, according to the request of the Lower House be entered on the records and remain on the files of the General Assembly of this colony.

Test GEORGE WYLLYS, Secretary.

At a General Assembly of the Deputies and Representatives of the English Colonies of Massachusetts in New England, assembled in a Convention, in and about the City of New York, on the 4th day of July, 1776.

Whereas the King and Parliament of Great Britain, by many acts of such Parliament have claimed and attempted to exercise powers incompatible with the principles of the sacred and constitutional rights of the said colonies of the English Colonies in America, and have further to listen to the many and repeated injuries, wrongs and claims, depriving the colonies of liberties and restoration of such their rights and liberties, and turning from them with neglect and contempt to support such claims with a series of accumulated wrong and injury, have proceeded to invade said Colonies with Fleets and Armies, to destroy our towns, shed the blood of our countrymen, and involve us in the calamities incident to war; and are endeavoring to reduce us to an absolute surrender of our natural and stipulated rights, and subject our property to the most precarious dependence on their arbitrary will and pleasure, and our persons to slavery, and at length have declared us out of the Kings protection, have engaged foreign mercenaries against us, and are evidently and strenuously seeking our ruin and destruction.— These and many other transactions, too well known to need enumeration; the painful experience and effects of which we have suffered and feel, make it evident, beyond the possibility of a doubt, that we have nothing to hope from the justice, humanity or temperate counsels of the British King or his Parliament, and that all hopes of a reconciliation, upon just and equal terms are delusory and

vain. In this state of extreme danger, when no alternative is left us but absolute and indefinite submission to such claims as must terminate in the extreme of misery and wretchedness, or a total separation from the King of Great Britain, and renunciation of all connection with that nation, and a successful resistance to that force which is intended to effect our destruction. Appealing to that God, who knows the secrets of all hearts, for the sincerity of former declarations of our desire to preserve our ancient and constitutional relation to that nation, and protesting solemnly against their oppression and injustice, which have driven us from them, and compelled us to use such means as God in his providence hath put in our power, for our necessary defence and preservation—

Resolved unanimously by this Assembly, that the Delegates of this Colony in General Congress, be, and they are hereby instructed to propose to that respectable body, to declare the United American Colonies, free and independent States, absolved from all allegiance to the King of Great Britain, and to give the assent of this Colony to such Declaration, when they shall judge it expedient and best, and to whatever measures may be tho't proper and necessary by the Congress, for forming foreign alliances, or any plan of operations for necessary and mutual defence: and also that they move and promote, as fast as may be convenient, a regular and permanent plan of union and confederation of the Colonies for the security and preservation of their just rights and liberties, and for mutual defence and security—saving that the administration of Government and the power ought to be left and remain to the respective Colonial Legislatures; and that such plan be submitted to the respective Legislatures for their previous consideration and assent. *Finis.*



